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GOVERNMENT OF NORTHERN IRELAND

REVIEW BODY ON LOCAL GOVERNMENT IN NORTHERN IRELAND 1970

CHAIRMAN: PATRICK A. MACRORY, ESQ.

REPORT

Presented to Parliament by Command of
His Excellency the Governor of Northern Ireland
June 1970

BELFAST
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WARRANT OF APPOINTMENT

I hereby appoint:

J. C. Baird, Esq., C.B., B.Sc., B.Agr.
Wm. J. Blease, Esq.
Michael G. Bready, Esq.
T. D. Lorimer, Esq., F.C.A.
Patrick A. Macrory, Esq.
E. M. R. O'Driscoll, Esq.

to constitute a Review Body with the following Terms of Reference:— In view of the decision to set up a central housing authority, announced in the Communiqué of 10th October, 1969 (Cmd. 4178), the Review Body are asked:

1. To review existing published Government proposals for reshaping local government in Northern Ireland.

2. To examine any further proposals which may be made to the Review Body.

3. To examine the consequences of the decision on housing.

4. To consider any implications of that decision for the health, welfare, child care, education and public library services at present discharged by local government.

5. To advise on the most efficient distribution under the Parliament and Government of Northern Ireland—whether under local government or otherwise—of the functions dealt with in proposals under 1 or 2 above.

6. To bear in mind the implications for elected local government of any courses of action which the Review Body may deem advisable.

7. To recommend how local opinion can best be brought to bear on administration.

8. To advise on the number of local government areas; and to submit interim reports if they think fit.

I further appoint Patrick A. Macrory, Esq., to be Chairman and John A. Oliver, Esq., C.B., B.A., Ph.D., idc, Hon. M.T.P.I., of the Ministry of Development to be Secretary.

I further appoint D. N. Chester, Esq., C.B.E., M.A., Hon. D. Litt., to be Consultant to the Review Body.

I provide also for the nomination by the Ulster Association of County Councils, the Association of Local Authorities of Northern Ireland Incorporated and the Association of District Councils (Northern Ireland) of three Assessors, being persons with direct experience in local government in Northern Ireland whose services will be available to the Review Body.

BRIAN FAULKNER
Minister of Development for
Northern Ireland.

17*th December* 1969.

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REVIEW BODY

REPORT

To the Rt. Hon. A. B. D. FAULKNER, D.L., M.P.
Minister of Development for Northern Ireland

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CHAPTER 1

INTRODUCTION

The Consultant

1. We were appointed under your Minute of 17th December 1969 which also appointed Mr. D. N. Chester, C.B.E., M.A., Hon. D. Litt., the Warden of Nuffield College, Oxford, to act as our Consultant. We have benefited much from the Consultant's advice which is based on many years of study and practical experience in local government and public administration generally and which proved to be of particular value to us when we reached the stage of drawing together all the threads of our review and arriving at our conclusions on the main issues. His advice has been given within the limits prescribed by the Government's decision on housing and within the broad policy decisions of the Review Body, including the decision about the number of local authorities.

The Assessors

2. The Minute also provided for the nomination by the Ulster Association of County Councils, the Association of Local Authorities of Northern Ireland Incorporated and the Association of District Councils (Northern Ireland) of three Assessors "being persons with direct experience in local government in Northern Ireland" whose services were to be available to us. The three Associations nominated respectively Mr. Arthur Jack, M.A., LL.B., Councillor H. R. Brown, M.Comm. Sc., J.P., and Mr. Alex McNeilly, M.B.E. Councillor Brown, however, subsequently withdrew and in his place his Association nominated Mr. Allan R. Martin, A.C.C.S., A.R.V.A.

3. We agreed at the outset upon the procedure by which we thought that the Assessors could best assist the work of the Review Body. They received copies of all written submissions made to us and discussed them with us. Except when prevented by their other duties, they were present at all our meetings with witnesses and took part in the discussions, and subject to the same qualification they accompanied us on our various visits to county, county borough and district councils and the Londonderry Development Commission. They assisted us also in giving us their views on this report at its draft stage though they are in no way responsible for its contents. All this made heavy demands upon their time and we are most grateful to them for their assistance and advice, which is based on an intimate knowledge of local government in Northern Ireland and which we found of great value in our work. We must also express our thanks to the three Associations, the Antrim County Council, the North Down Rural District Council and the Newtownabbey Urban District Council for so willingly releasing these busy senior officers at a particularly difficult season of the local government year.

Preliminary reading

4. Immediately following our appointment we embarked upon a study of the preliminary reading already available of which there was a great deal. We found of particular interest and relevance such publications as: The Re-Shaping of Local Government—Statement of Aims (Cmd. 517);

The Re-Shaping of Local Government—Further Proposals (Cmd. 530); The Administrative Structure of the Health and Personal Social Services in Northern Ireland; and the Report of the Cameron Commission on Disturbances in Northern Ireland (Cmd. 532). We also derived a great deal of help from a study of proposals for the reform of local government in Great Britain including the Report of the Royal Commission on Local Government in England (Redcliffe-Maud) (Cmd. 4040); the Report of the Royal Commission on Local Government in Scotland (Wheatley) (Cmd. 4150); and the Command Paper on Local Government in Wales (Cmd. 3340).

Minister's address

5. The text of the address with which you opened our first meeting, which was held on 9th January 1970, is set out in full as Appendix I to this report. To avoid any misunderstanding, we should add that after you had addressed us you left the meeting, and have taken no further part in our proceedings. We say this because there have been rumours to the effect that before you appointed us your mind had already been made up as to the direction in which we must go and that the report had in effect been written for us before we had even begun to study the problem. It is therefore right to emphasise that at no time have we been subject to any pressure from you, direct or indirect, as to the conclusions which we ought to reach. Your Ministry, like all the other Ministries, made its views known to us in a memorandum which was publicly released for anyone to read if he wished, but that is a very different matter from exerting pressure or attempting to force us down a particular path.

6. What you said to us at our first meeting served to impress upon us the urgency of our task. We noted the emphasis that you placed upon the need to further the social and economic development of Northern Ireland, as well as the paramount importance of political stability, without which that development must inevitably be frustrated.

Terms of Reference

7. We studied our Terms of Reference with care. We observed in particular the emphasis placed upon the decision that the Government had already taken to establish a central housing authority. We noted too the emphasis that was placed upon local involvement. But we noted also that there was no reference, as there was in the Terms of Reference for the Royal Commissions on Local Government both for England and for Scotland, to "the need to sustain a viable system of local democracy"; we were not asked to meet any political requirements nor to advise upon boundary lines; we observed that we were not asked to assume that the present range of local government functions should continue; on the contrary, we were specifically and clearly asked to advise on the most *efficient* distribution of all the relevant functions "under the Parliament and Government of Northern Ireland—whether under local government or otherwise." We were not asked to advise upon the internal machinery of local government, that is to say, the committee structure, the relationship between a council and its senior officials, the extent of delegation to the latter and similar administrative problems; nor were we asked to examine the electoral system or explore the advantages and disadvantages of a system of proportional

representation voting for local government. The latter question did however come up in the course of our review and we deal with it briefly in paragraphs 42 and 43 of this report.

Procedure

8. We followed no set procedure in our work. On the contrary our methods of enquiry have been informal, empirical, varied and non-technical, and on our visits to councils they were adapted to suit the circumstances and the wishes of our hosts. We have studied over forty background books or papers. We have received, in answer to our advertisements, 141 papers, which ranged from short letters to lengthy volumes and many other documents were handed to us on the visits that we made. All have been carefully read, studied and discussed. We invited to meet us those writers or sponsors of papers who seemed to us to have raised points that could usefully be amplified in discussion with us, and those whose views on opinions that others had expressed to us were likely to be of particular value. In this way we have had discussion meetings with about 200 people. We had, too, an interesting discussion with Professor Sir Robert Matthew, Professor Tom Wilson and Professor Jack Parkinson, whose Development Programme for Northern Ireland 1970–75 was then in the final stages of preparation. We also met a number of other people concerned with our field of study, some round the table and others in the course of our visits.

9. These visits to local authorities took many forms but all proved valuable to us. All told, we met representatives of about 30 authorities in town halls or council offices. We paid a visit to the Londonderry Development Commission and we were able to spend a complete day with the Belfast Corporation as well as having two further full meetings with them. We are most grateful to everyone concerned, including those who had plainly been to great pains to arrange our programme of talks, meetings, visits and tours and to introduce us to local government and Development Commission staff of many categories and ranks. It is worth mentioning that on many of these occasions the press were present.

10. It must remain a matter of considerable regret that twice, when provisional dates had been set for us to visit Fermanagh, we were advised that it would be unwise to do so because of unsettled conditions associated with the Fermanagh Council. We have therefore been unable to see in action the only example in the British Isles of a fully amalgamated all-purpose local authority outside the county boroughs.

11. We must also regret that in the limited time at our disposal it was not possible for us to visit all those other authorities who had indicated that they would be glad to receive us. Moreover, at one or two of those that we did visit, it would appear that some members who would have liked to meet us were not invited to do so. This was understandably a matter of some complaint but it was by no wish of ours. The arrangements on these occasions were in the hands of the host councils.

12. In all then, this has been for us a period of highly intensve work, characterised by varied ways of approach and different methods but marked, above all, by direct personal contact with some hundreds of citizens and through the media of documents, letters and deputations, with what we believe

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to be the thinking and wishes of many thousands more. It may be said that, nevertheless, considering the great complexity of the subject, a satisfactory review could hardly be completed in a time that is short indeed compared with that taken by, say, the Redcliffe-Maud or the Wheatley Commissions. We can recognise the force of such an argument but in answer should point out that we have had the benefit of the great deal of preliminary work that had been put in on this subject in Northern Ireland before we were established and that in addition we have drawn on the work of the English and Scottish Commissions—particularly the Wheatley Report as clearly Northern Ireland is more akin to Scotland than England in area, population and distribution of urban and rural areas. But in any case the circumstances just did not permit of further long drawn out inquiries. Local government reform in Northern Ireland has been discussed and written about for several years now, going back well before 1967, when the Statement of Aims was published. This, and above all the decision announced last October to create a central housing authority—a decision which has of course frustrated much of the preliminary work just mentioned—has naturally left local authorities in a considerable state of doubt and bewilderment. It has also created a very understandable anxiety in the minds of local government staff. This anxiety, which was emphasised to us on many occasions, should not be allowed to continue a moment longer than necessary. Moreover our report will mark only the beginning of a period of detailed and complex work, including the re-drawing of boundaries and none of this can be put in train until our recommendations are known and decisions about them taken by Government. All this must be seen against the background of the postponement until 1971 of the local government elections that were due to be held this year. With the best will in the world a further postponement may well be unavoidable but any protracted postponement, particularly in the light of the promise of a new and wider franchise, would plainly be most undesirable. It was for these reasons that we decided that our proper course was to carry out a short and intensive review rather than an exhaustive and detailed inquiry, a review to be completed in a matter of months rather than years and almost everyone we met has welcomed or at least acquiesced in that approach. We have ourselves no doubt that our decision was right.

13. It had two consequences. The first has been that we have had to meet more frequently and to work under more intense pressure than is normal for an ordinary committee of inquiry. The second was that we have had to concentrate on the broad pattern of responsibilities and to leave the detailed working-out of our proposals to others. Our report, therefore, like our inquiries and investigations, concentrates on principles of public responsibility and on arriving at a broad pattern of administration and public involvement. We firmly believe that in adopting this approach we are giving the most helpful and constructive service we can to assist in resolving the important and difficult problems raised by our Terms of Reference.

Charges of secrecy

14. One other aspect of our procedure calls for mention at this point. At an early stage of our review the charge was made in the press and elsewhere that we were operating with undue secrecy. "Dangerous Secrecy" was the headline favoured by one newspaper and such phrases as "sessions in camera" and even "Star Chamber methods" were freely bandied about. The demand was made that all our meetings should be held in public, with the press present, and that all the evidence should be published. Such a request showed, in our view, a misconception of the basic nature and functions of our Body, which was not a judicial or quasi-judicial tribunal arriving at conclusions based on the "weight of the evidence" but a Review Body reviewing the work of some four years, eliciting further ideas and drawing the threads together. Moreover, to have organised public sessions with reporters in attendance would certainly have delayed and protracted the proceedings, quite apart from the fact that many people are not at their best under such circumstances. We believe that the free and largely informal manner in which we conducted our discussions with witnesses* produced fuller, more uninhibited and therefore more valuable expressions of opinion than we could have obtained otherwise.

15. On the other hand, we fully recognise the anxiety that would be felt if it were thought that matters of such importance to so many citizens were being decided in a hole-and-corner fashion and subject to backstairs influence. We therefore made it plain and wish now to repeat, that any person or body submitting a letter or memorandum to the Review Body was completely free to release the document to the press or publish it in any other form they wished. We said in terms that we would welcome their taking this course and we noted with particular satisfaction that all the Government departments decided to do so. Similarly, we specifically emphasised to those who came to our discussions that they were entirely free to repeat publicly what we had said to them or they to us and that there was no question of their being bound in any way to secrecy. We gave a similar assurance to the councils that we visited. At some of these meetings the press were present and interviews were freely given; at others a shorthand note was taken on behalf of the council. All such arrangements were left entirely to the discretion of the council that we were visiting.

16. When the allegations of undue secrecy were brought to our notice we at once issued a statement dated 23rd February 1970, intended to allay any anxiety that might be felt on this score. (The full text of this statement is reproduced in Appendix II to this report.) We hope therefore that it will be recognised that throughout we have operated as openly as possible, consistent only with the need to produce an early report and to avoid any premature disclosure of our conclusions.

* "Witness" and "evidence" are such convenient terms that they are used throughout this report to indicate those who discussed the problems with us and the views they gave us, both verbally and in writing. But as has been pointed out above, we were not a judicial tribunal; no "witness" was on oath and none of the "evidence" was sworn testimony. These terms should therefore not be taken too literally.

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CHAPTER 2

THE BACKGROUND

17. As already mentioned, it is now some years since the Government began to explore the possibilities of reforming the local government system of Northern Ireland. On 3rd March 1966, they announced their intention of initiating talks on the subject. In December 1967, the White Paper "The Re-Shaping of Local Government: Statement of Aims" was published and this was followed by a period of intense discussion and debate. "Innumerable discussions", we are told*, "have taken place within local Councils; there have been a great many consultations and joint meetings between neighbouring Councils and within the local authority associations; meetings between Councils and representatives of Government have totalled more than one hundred. A number of professional and specialised bodies have examined the problems as well . . .". All this activity culminated in a further Government publication "The Re-Shaping of Local Government: Further Proposals" which was presented to Parliament in July 1969.

18. Further Proposals made it clear that there was general agreement that a local government system of 19th Century origin, with seventy-three directly elected local authorities (twenty-seven of them with populations of under ten thousand) was no longer appropriate to the conditions of today. There was an evident desire for change and a wide acceptance of the belief that the distinction between urban and rural areas should disappear. The Government's thoughts had now crystallised into a proposal that the existing system of county, county borough, borough, urban and rural district councils should be abandoned and that instead there should be established a pattern of seventeen areas, each with its area council. The two elected levels would thus be Stormont (as we shall hereafter, for convenience, term the Parliament and Government of Northern Ireland) and these multi-purpose area councils. The county councils, it was recognised, might find no place in this new system. The suggested areas were outlined in Further Proposals, with no attempt being made at achieving uniformity in size, population or financial resources.

19. Before any action could be taken to implement the ideas put forward in Further Proposals, events were overtaken by the serious disturbances of the summer of 1969. One of the results of these disturbances was the Joint Communiqué (Cmd. 4178) issued by the Westminster and Stormont Governments on 10th October 1969, which announced the intention of setting up a central housing authority to which there would be a phased transfer of housing functions from the local authorities. This announcement marked a radical departure from the existing system and introduced an entirely new factor into the re-shaping of local government. For one thing, housing up to that point had been recognised by the Northern Ireland Government as one of the most important functions entrusted to local authorities and this had been stated in terms both in the Statement of Aims and in Further

* Further Proposals, paragraph 4.

Proposals; it was also, of all local government functions, the one in which many councillors took the greatest interest. For another thing, as the Communique made clear, a concerted housing drive by this new central housing authority required the assured provision of supporting services to suit, that is of water, sewerage, roads and the prompt release of land. Thus the decision to transfer housing responsibilities from the local authorities called for a complete re-appraisal of existing proposals for reshaping local government. Hence the establishment of this Review Body.

20. There were also other factors which it is right to record. Many changes have been taking place recently in Northern Ireland the precise effects of which are not yet apparent: the abolition of plural voting in local government; the introduction of universal adult franchise with votes at eighteen; the principle of single-member wards in towns; the Parliamentary Commissioner; the Commissioner for Complaints in local government and other public bodies. Added to this is the fact that throughout our inquiry it was not known what form the central housing authority was to take or how it was to operate. These factors have added to the complexity of an already complex task and it is fair to say, to the difficulty which so many of those we met found in making a proper appreciation of a situation in which so much was still fluid, so much unsettled.

21. It is also necessary to place on record the actual circumstances of the time. Our review took place in the aftermath of a year and a half of civil disturbance, serious riots, violence and shooting. There has been a continuing atmosphere of unrest, with demonstrations and counter-demonstrations. Although this state of affairs was hardly conducive to a calm and dispassionate evaluation of the long-term future of local government in Northern Ireland, we resolved nevertheless not to seek for short term emergency solutions. We have attempted on the contrary to look ahead and to try to produce a structure of administration which will carry Northern Ireland forward through the next 25 years at least.

CHAPTER 3

EXISTING PROPOSALS REVIEWED

22. The Terms of Reference required us to review existing published Government proposals for re-shaping local government in Northern Ireland. These are mainly contained in the Statement of Aims and Further Proposals; and in the Green Paper of 1969 on the Administrative Structure of the Health and Personal Social Services in Northern Ireland, hereafter, for the sake of brevity, simply called " the Green Paper ".

Statement of Aims and Further Proposals

23. The Statement of Aims and Further Proposals provided a sound groundwork for our review and both contain useful and constructive ideas. Perhaps their greatest merit is that they have served in the last few years to stimulate discussion and inspire forward thinking, with the result that there is now a widespread readiness to contemplate a change of the existing system.

24. Further Proposals suggests that local government should take the form of a single tier of 17 area councils providing the local physical and environmental services. This was an imaginative concept and a major step forward. But since we believe, as we explain later, that some of the major local government services require to be treated in the first instance on a regional rather than a local scale (and by a regional scale we mean one covering the entire province), this has made it possible for us to modify the proposal by increasing the number of councils, thus giving them closer contact with the views and wishes of the citizens.

The Green Paper

25. The Green Paper was produced in July 1969. It describes the present structure, which starts with the Ministry of Health and Social Services, which is responsible for the promotion of a comprehensive health service and for providing or securing the effective provision of services in accordance with the requirements of the Health Services Acts. Below the Ministry the structure is, broadly speaking, tripartite. *Hospital services* are administered by the Hospitals Authority who are now agents of the Ministry, with day-to-day management in the hands of 29 Hospital Management Committees. *General health services* come under a single General Health Services Board with which doctors, dentists, chemists and opticians have individual contracts for the provision of services. *Personal health services* are provided by the six county and two county borough councils as health authorities, acting largely through health committees. These health authorities also provide the *school health service* (in England and Wales a function of education departments) and have various *public health functions* such as the control of communicable diseases, the control of food hygiene and composition, and port health. The county borough, borough, urban and rural district councils as sanitary authorities have a range of environmental health functions such as refuse collection, sewage disposal and the control of air pollution.

26. The basic proposal of the Green Paper is that the tripartite structure described above should be replaced by an integrated system under which, in any given area, a single authority would be responsible for the provision of comprehensive health services. The arguments in favour of this course are summarised in the Green Paper* as follows:

" (*a*) the present structure is tripartite while the individual's needs for services should be seen as a continuum;

(*b*) the separate branches of the health services are increasingly interdependent in treatment and care, and the administrative structure should be designed to secure fully co-ordinated planning as well as joint action;

(*c*) a single authority for each area could more easily secure the most effective use of the financial and human resources available;

(*d*) advances in knowledge and the emergence of new needs make it desirable that resources can be quickly and effectively deployed to meet new situations;

(*e*) the different financial basis of the local authority services has presented obstacles to the balanced development of community care;

(*f*) the three-tier management structure in the hospital service leads to duplication of effort and difficulties in communication."

27. Accordingly, the Green Paper has suggested that the Hospitals Authority, the Hospital Management Committees and the General Health Services Board should be replaced by *area authorities*, which as agents of the Government would be responsible for the planning and provision of a single co-ordinated health service for their area and take over many of the functions of local health authorities. To the authors of the Green Paper it did not seem that either the existing county councils or the proposed area councils would provide adequate areas for the administration of the services. They therefore proposed a minimum of three and a maximum of five areas, each with its area board responsible directly to the Government for the provision of services but with the local authorities having a voice in their administration through representation on the board. Appointments to the area boards would be made by the Minister concerned, after consultation with a wide range of interests, and the choice of chairman and vice-chairman would also rest with the Minister.

28. What the Green Paper had to say on the composition of the area boards could have a wider relevance than simply for the health services and is in any case of such importance that it merits quotation† in full:—

> " It is important that members should be chosen . . . not in a strictly representative capacity but because of the breadth of knowledge and experience which they as individuals can contribute to the planning and management of the services. Nevertheless, the total membership must be such as truly to reflect the community which the Boards will serve: to represent in the broadest sense, not only the professional aspects of the services but the needs and views of the community at large—in short, of those who use the services.

* Green Paper, paragraph 22.
† Green Paper, paragraphs 96 and 97.

"Accordingly, it is clearly desirable that members of the new local government Councils, as the elected representatives of their area, should participate in the administration of the services. This could be arranged, for example, through the appointment of a proportion of members after consultation with local authorities in the area, which is broadly the present principle of appointment to the statutory bodies, and is appropriate to a centrally financed service for which Ministers would be ultimately responsible to Parliament. It would also be desirable to appoint an adequate number of members with broad professional knowledge of the services, not (again) to represent special interests but because of their experience of the practical problems involved and the personal contribution which they can make to the task of remodelling patterns of care. Indeed, the participation of professional persons in the work of the statutory bodies in the health service is a well-established principle. In relevant instances, members would also be appointed after consultation with Universities. The overall balance of membership should be such as to ensure a preponderance of laymen over professional persons, as in the present statutory bodies, and the Chairman would be drawn from the lay members."

29. The Green Paper examined in considerable detail the possible future structure of the personal social services, which include domiciliary and residential care of the elderly and the handicapped, child care and home help. These services are at present provided by county and county borough councils as statutory welfare authorities under the Welfare Services Acts, the Children and Young Persons Act and the Adoption Act, the councils acting largely through welfare committees. Social work services are also provided in the hospital and special care services. So far as the proportions of trained staff are concerned this is a field in which Northern Ireland is second to none in the whole United Kingdom.

30. The personal social services, because of their growth in scale and scope, increasingly need larger, not smaller, bases of operation. The 17 area councils suggested in Further Proposals are ruled out by the Green Paper as a possible solution for their organisation on the grounds that, except for Belfast, none of them could provide now or in the future the financial and other resources which such services need ; and they would constitute far too restricted units for the development of a trained social work staff with increasingly specialist skills.

31. On the assumption that county councils might find no place in the future structure of local government, the Green Paper considered a number of possibilities. The first was that separate boards should be established—again as agents of the Ministry—to administer personal social services for the same areas as those of the proposed boards for health services. While there is a good deal that can be said for this course it has a number of disadvantages which the Green Paper points out. It would, for example, formally separate the administration of social services from health services at a time when the need for co-operation and joint planning is becoming increasingly recognised on both sides. It would disrupt the existing unity

of the special care service and it would add to the proliferation of administrative authorities when the trend, in a relatively small area such as Northern Ireland, should be in the opposite direction. It would also be uneconomical in the use of staff since separate authorities would need their own administrative staff and supporting professional and other services.

32. The next possibility considered by the Green Paper was therefore that of linked boards: that is to say, two separate boards acting as agents of the Ministry—one for health and one for personal social services—with a shared secretariat and supporting services for administration, works and supply. This would avoid a duplication of supporting staff but gives rise to its own organisational problems. Moreover, it would to some extent leave the task of co-ordinating the two services to the common administrative staff, who could scarcely be expected to achieve the necessary degree of co-operation between them without support at board level.

33. The third possible course, which was plainly that favoured by the authors of the Green Paper although they very fairly left the issue open for further comment, was that of single boards ; in each area, that is to say, a single agent board would be established to administer both health and personal social services ; under it, two committees would be established, one for health services and the other for personal social services, with overlapping membership. Within this framework, a separate social work department would be directed by a chief officer responsible directly to the committee concerned with personal social services and to the board. We noted and agreed with, the point made in the Green Paper* that for the personal social services in general and for child care in particular the involvement of the community in decision making needs to be emphasised. "Deprived children, for example, are in no position to speak for themselves or defend their rights, and therefore require a special degree of protection. Thus, the powers of welfare authorities in relation to children in care include full parental responsibility ; there is closer supervision by central government than with other services ; and there is judicial intervention in many cases. Along with the continuation of these provisions goes a need for the body responsible for the service to take a direct and continuing interest in the children and families concerned."

34. As regards the views expressed to us on the Green Paper proposals, it is interesting to note that this is one of the two instances in which what we may call an association of specialist committees took a view fundamentally different from that of their parent bodies (for the other instance see paragraph 54). The Association of Health Committees of Northern Ireland is an association of the eight health committees of the six county councils and the two county boroughs, comprising both members of those committees and officers. This Association, unlike the Ulster Association of County Councils, came out in general support of the proposals in the Green Paper and in principle backed the idea of the integration of the health and personal social services under area boards, with the significant qualification that the membership of the boards should include a majority of local government representatives.

* Green Paper, paragraph 66.

The Joint Communiqués

35. We have taken note of the Joint Communiqué of the Westminster and Stormont Governments of 29th August 1969, and the Joint Communiqué issued following the discussions between the British Home Secretary and the Northern Ireland Government on 9/10th October 1969. Both are of far-reaching importance so far as local government is concerned, particularly the latter, which announced the following:

(*a*) the intention to establish a Commissioner for Complaints to deal with complaints of maladministration, including religious discrimination, by local authorities or public bodies ;

(*b*) the intention to introduce an approved code of employment procedure applicable to all public bodies, including local authorities ;

(*c*) the intention to establish a permanent statutory Local Government Staff Commission with strong advisory powers to assist local authorities in the selection of candidates for senior and designated appointments and a continuing duty of reviewing appointment procedures ; we comment more fully on the implications of this step in Chapter 9 ;

(*d*) the intention to create a "single-purpose, efficient and streamlined central housing authority", with the corollary that this authority must be able to rely upon "the assured provision of water and sewerage and their organisation on a scale and in step with house-building ; road programmes to suit ; and above all the prompt release of land for housing estates, redevelopment and attendant social and recreational services" ;

(*e*) the recognition that one result of the decision to establish a central housing authority was the need to re-assess the consequent shape, size and staffing of local councils without housing functions, together with the implications for the social services at present discharged by local government—health, welfare, child care, education and libraries.

The Cameron Report

36. Although they do not strictly come within the category of "existing published Government Proposals for reshaping local government", we have also taken into consideration those parts of the Cameron Commission's Report on Disturbances in Northern Ireland (Cmd. 532) which relate to the manner in which local government has operated in the past. It is fair to record that many witnesses stressed to us that the criticisms of the Cameron Commission applied only to a minority of local authorities and told us, in terms, that they felt that local government had on occasion been made the whipping boy for much that was in reality the responsibility of others.

CHAPTER 4

FURTHER PROPOSALS REVIEWED

37. In addition to reviewing existing published Government proposals for re-shaping local government, we were asked by our Terms of Reference to examine any further proposals that might be made to us. There has been no lack of these and we have had views from many sources, including the three main local authority associations, the departments of Government, individual Members of Parliament, individual local authorities and councillors, local authority staff and professional associations, political bodies, Queen's University teaching staff and local amenity bodies.

Wide range of views

38. The range covered by these views could hardly be wider. There was complete agreement on the need to change the existing system, in the sense that no one has recommended that it should be left exactly as it is. But on the form that the change should take there was no such unanimity and we found it difficult to discern any single predominant thread of opinion or any generally agreed basis of analysis and recommendation. On one basic issue however, namely, the future administration of the major local government services, there emerged two main schools of thought. There were those who urged that these be left in the hands of elected local authorities in some shape or form, and there were those who were prepared not only to contemplate but positively to recommend their transfer to some form of central authority. The most usual suggestion was that the services should be vested in a series of independent boards whose members would be appointed by Stormont Ministers. Within each of the two main schools of thought there were many variations on points of detail but the fundamental cleavage between them emerged very clearly.

In favour of elected local government

39. The case for a continued reliance on elected local government for the discharge of the widest possible range of local functions has been pressed by many and perhaps most strongly by the three main Local Authority Associations and the Belfast City Council. As presented, it was a reasoned and impressive case. At the risk of doing some injustice to the argument by compressing it, we would attempt to summarise it as follows:

(*a*) local government is not just a purely functional method of administration for the provision of services, it is something that enables people to play a part in the process of government and as such assists in political education ; it is not enough to relegate local authorities to a purely advisory and consultative role for local involvement means more than the right to discuss what someone else has the power to decide ; there can be no participation, nor can there be effective representation of local aspirations without responsibility, and responsibility means that functions must be exercised as of right, within the framework of an independent budget ; and given that

for these reasons local authorities are worth preserving, they must be allotted as wide a range of functions as possible or they will cease to be viable ;

(*b*) anticipating the possibility of the suggestion that the major local government services might be transferred to Stormont, the argument contends that 52 Stormont Members could not properly supervise the administration of these functions as well as carry out their primary legislative and deliberative duties and that such a course would therefore require a considerable enlargement of the House of Commons ; but the argument then proceeds to assert, in the trenchant words of the Association of Local Authorities of Northern Ireland, that " the concept of a semi-sovereign Parliament adopting the additional mantle of a sort of super county council to administer its own laws is quite unacceptable " ; in short, it is said, provincial Government is no substitute for local government and the civil service, with little or no experience of direct administration, cannot be regarded as equipped to take over local government ;

(*c*) the possible alternative of a series of *ad hoc* specialised boards for the major services is condemned on a number of grounds, for example, the inability of the citizen to fix responsibility for what he dislikes and to express his dislike to someone readily accessible and ultimately answerable to him ; the difficulty of securing co-operation between the different boards ; the tendency of Ministers and their advisers, in making appointments to the boards, to nominate amenable and " safe " men to the exclusion of the rebel, the unorthodox and the young ; the insulation of boards from public opinion and the absence of direct accountability to the electorate ; the tendency of the concentration of power at the centre to produce a passive acceptance of what is provided by authority and uninformed complaint when personal interests are touched ; such a system, it is argued, runs counter to what is advanced as a basic and essential principle, namely that local services should be provided by authorities governed by elected representatives answerable to the electorate for their stewardship not only in the quality of the services but also for the price paid for those services ; such, in résumé, are the arguments against the *ad hoc* board system and they are of formidable weight.

40. Still dealing with those who believe in the maintenance of elected local authorities for the discharge of the major services, we should here mention that some of the views that we considered had already been published before we embarked on our review. Of these we instance in particular the booklet " Local Government : It Matters To You ", published by the Advisory Committee on Local Government of Fermanagh, Derry and Tyrone. This spirited pamphlet takes as its starting point the Government's Further Proposals for 17 area councils and brusquely dismisses them on the grounds that " the tiny scale of the new administrative units virtually renders it impossible to attract and afford good staffing or to use modern aids. Efficiency and economy and local initiative are being sacrificed in favour of parish pump loyalties." The solution proposed by " It Matters To You " is three, or at the most five, large local authorities for the whole of Northern

Ireland ; and it has had some support from other witnesses. It is a solution which is arguable on grounds of efficiency and economy, but we do not think that the argument has been pushed to its logical conclusion except indeed at the point where the Advisory Committee suggested that " undoubtedly the best hope of achieving this objective [i.e., of making the best use of existing resources] would be to have one elected administrative unit with greater representation of the people ".

41. A specialist single-purpose body, the Belfast City and District Water Commissioners who have a notable record of achievement in the provision and distribution of water in Northern Ireland also gave us views in support of the elective system, although they confined their representations to water supply. Like the Northern Ireland Committee of the British Waterworks Association they recommended to us that a small number of single-purpose authorities should be responsible for water supply (but not sewerage) over the whole of Northern Ireland and that they should be elected either directly or from the new local authorities : we note that the Commissioners are themselves elected on a local government franchise. We think it significant in view of our proposals for regional services in Chapter 5 that the Commissioners went on to say " As a regional government the Stormont Ministry should take direct responsibility for the overall co-ordination of the various functions which impinge on the security, impounding, storing, distribution, purity and disposal of water. This is recommended as the various government departments will in the end have to exercise this authority and in a Province of this size it seems unnecessary, wasteful and time-consuming to have more bodies interposed ".

42. Some of those who favoured in principle the continuance of the major services in the hands of elected local authorities made it a condition of their support that election should be by proportional representation, though without specifying which of the various forms of proportional representation they had in mind. As we have said earlier (paragraph 7), we were not asked by our Terms of Reference to examine the electoral system or to study the advantages and disadvantages of proportional representation voting for local government. The question was, however, raised in the House of Commons at Stormont* after we had begun our review and the following interchange took place :

> " 12. Mr. Currie asked the Minister of Development whether the Review Body for local government reorganisation has the power to recommend Proportional Representation for local government elections.
>
> Mr. Faulkner : The Review Body is operating under terms of reference which make no mention of Proportional Representation. The subject was not in my mind when I authorised those terms. If it had been, such a complex and far-reaching subject would obviously have merited a separate mention or paragraph to itself. Accordingly, I am not expecting the Review Body to deal with this or any other electoral matter.
>
> Mr. Currie : The Minister's reply is extremely disappointing. Would he accept that it clarifies to a large extent the attitude which we on this side of the House will be adopting to the reorganisation of local

* Hansard 19th February 1970, Vol. 75 Cols. 453–456.

government? In the absence of Proportional Representation it will be extremely difficult for us on this side to consider giving any real power to local authorities. This would have been possible if the Minister had allowed the Review Body to make recommendations on Proportional Representation. Would the Minister consider changing his mind on this subject and allowing the Review Body to consider the implications of Proportional Representation? If it did take that step and were able to make that recommendation it would then be possible to give real powers to local authorities throughout Northern Ireland.

Mr. Fitt: And it would help to even up his Back Benchers a bit.

Mr. Faulkner: Having received the terms of reference, it is for the Review Body to interpret them in whatever way it thinks to be right and I have no intention of curbing it in any way . . ."

43. In view of this interchange and also because proportional representation was strongly supported in more than one of the submissions that we received, we did in fact give it some consideration and we put the suggestion to a number of other witnesses. Very few were prepared to condemn it out of hand and some thought that the system, which was indeed in force in Northern Ireland for a short time some fifty years ago and which aims in particular to give numerical representation to minority parties in accordance with their voting strength, might well be appropriate to the particular conditions of the province. We would go so far as to say that the classic arguments that are marshalled against the proportional representation system for national elections do not seem to have the same force when applied to local government elections. But we regard this question of proportional representation as a separate issue, "a complex and far-reaching subject", to quote your own words. It may be that at some future time it will merit more detailed consideration. Meanwhile, since our own recommendations neither stand nor fall by proportional representation, we regard it as irrelevant to our task. It is certainly not an issue which should be allowed at this stage to hold up speedy action on the re-shaping of local government.

44. In all, then, there was a strong body of opinion which held that the full range of present local government functions should remain in the hands of elected local authorities, including housing despite the decision that had already been taken by the Government to transfer the housing function from local authorities to a central housing authority. It is undeniable that nearly all who subscribed to the school of thought outlined in the foregoing paragraphs believed that this decision was wrong in principle and they resented it. We had on occasions to point out that to direct this resentment at us—as some were inclined to do—was not only mistaken but unprofitable, since to review or question the housing decision was plainly outside our Terms of Reference.

In favour of centralisation of major services

45. There were many who believed that the housing decision pointed to a conclusion quite the opposite of leaving all other major functions in the hands of elected local authorities. This second of the two main schools of thought included some people who have had considerable experience as elected representatives in local government as it has operated up to now,

as well as several senior officers in local government service. They believed that partly as a result of the housing decision, and partly for other reasons, the time had come for a drastic shift of responsibilities. It was said, for example, that as housing, roads, water, sewerage and the other main environmental services are inter-dependent and complementary, they should all be administered by a single multi-purpose authority covering the whole province. There were a number of variations of this suggestion, for example, separate central authorities for each of the main environmental services, i.e., a provincial roads board, water board, planning board and so on. Not surprisingly, most of those who recommended a course of this kind also believed in a greater measure of centralisation for the main social services (health and education) and in general favoured a solution along the lines of that proposed by the Green Paper for the health and personal social services.

46. The main reasons put forward for some form of centralisation of the major services can be summarised as follows:

(*a*) the need for co-ordination of housing with the other environmental services;

(*b*) the need to reduce duplication and waste and to bring together people with expert knowledge of the respective functions;

(*c*) the relative smallness of Northern Ireland, both in area and population, coupled with the facts that many of the services are largely financed from central funds and that in many cases the operational functions and policies are the direct result of Government legislation;

(*d*) the need to eliminate the indecision, delay and duplication that are said to result from the present division of responsibilities among a whole series of Government departments, local councils, boards and other statutory bodies;

(*e*) the alleged failure of local government to attract sufficient numbers of elected representatives of the right calibre.

We should add that many though not all, of the witnesses in this category would give local authorities some degree of representation on the central authorities that they proposed, or on the area sub-authorities through which they envisaged those central authorities operating.

47. Both those who believed basically in the retention of the major functions by elected local authorities and those who believed basically in their centralisation have put forward an almost bewildering variety of suggested patterns of administration. Provincial councils, regional councils, area councils and community councils, single-tier, two-tier and three-tier systems —all have had their advocates and the number of administrative units proposed has ranged from two up to eighty. They cannot all be right—unless, indeed, we make the unlikely assumption that Rudyard Kipling's theory on tribal lays applies to local government systems.*

* "There are nine and sixty ways of constructing tribal lays, And-every-single-one-of-them-is right!" *In the Neolithic Age*

Health and Personal Social Services

48. All the Government departments presented useful and informative papers but with few exceptions, those primarily concerned with the subject matter did not make major recommendations of a definite nature about local government but instead confined themselves to outlining various alternatives, dependent upon which course we might ourselves recommend. One exception was the Ministry of Health and Social Services, which was quite clear in its preference for area boards to administer an integrated system of health and personal social services, as suggested in the Green Paper. In this, as we have said, it was in principle supported by the Association of Health Committees of Northern Ireland. The Green Paper proposals were also welcomed by a major staff association representing divisional welfare and other senior officers. This association believed that these proposals would bring about a general improvement of services: "we would greatly deplore any proposal to maintain the status quo, and we feel strongly that the reorganisation of the personal social services should be taken out of the local government context". Similarly, the Northern Ireland Group of the Standing Conference of Social Work Organisations has urged that the administration of all personal social services should be completely integrated outside the local government structure.

Education

49. The memorandum from the Ministry of Education confirmed its Minister's statement in the House of Commons in July 1969, when he said that the present system of local administration of the education service, based on eight local education authorities (the county and county borough councils), had on the whole worked well and considered in isolation, presented no compelling need for fundamental changes in the system in the immediate future. It was, however, recognised that if local government was to be re-shaped, the administration of the education service must be reviewed. Assuming that the retention of the present system of administration by county and county borough elected authorities was ruled out, the Ministry of Education considered the possibility of either a single independent board or the Ministry itself directly administering the service but rejected both possibilities; instead it proposed a system of not more than five area boards which would have broadly the same functions for educational (including library) services as the existing local education authorities. A reasonable proportion of the membership of the boards should be representative of the local electorate and there should also be representatives of the transferors of schools, the maintained school authorities, the teachers and other persons interested in education or the public library service. "A system of Area Boards constituted in this way", wrote the Ministry, "would be nearest to the present system, which as stated by the Minister has on the whole worked well; it would however have advantages over the present system, in that Boards would be responsible for viable administrative areas of broadly comparable size and importance from the point of view of population and financial resources. They would have a broadly based membership drawn from sections of the community most capable of making a worthwhile contribution to educational administration. A system such as this would facilitate the creation of well balanced Boards consisting of responsible and public-spirited persons, who on the one hand would owe

their loyalty primarily to the Boards and on the other hand, because they would be in a position to interpret the views of the main sectional interests, might be expected to induce a spirit of confidence, co-operation and goodwill amongst those interests. This form of administration would not be open to the objection of remoteness, and it would maintain the tradition of local interest and be responsive to the special needs of the areas for which the individual Boards would be responsible. Moreover, it would afford a measure of flexibility—the Boards could appoint separate committees of equal status for the education service and for the library service."

50. The Ministry's proposal of up to 5 area boards to administer the educational system was supported by others, who did not appear to share its satisfaction with the working of the present system. The Ulster Headmasters' Association, for example, favoured a maximum of 5 area boards, whose membership would include persons appointed after consultation with the elected local authorities; a substantial number of teachers and other persons with a professional knowledge of the education service; persons appointed after consultation with the Universities and other institutions of higher education: persons appointed after consultation with the Governing Bodies Association and with voluntary managers; and other persons who in the opinion of the Minister can make a contribution to the planning and management of the service.

51. This Association informed us that it had for some time been uneasy about the variations in the standards of accommodation and facilities between schools performing similar functions in different areas and under different types of management. It also considered that education committees, as at present constituted, did not represent the whole community and did not include a sufficient number of people with a professional knowledge of the education service. Similarly, one experienced headmaster wrote to say bluntly that "one of the most unsatisfactory features of the control of schools by local education authorities is the variation in standards adopted by different authorities. . . . Although only a relatively small proportion of educational expenditure is derived from the rates, the local authorities have the power to raise or lower educational standards in their areas." He too was in favour of a system of area education boards.

52. The Northern Ireland Federation of the National Association of Schoolmasters also criticised the present educational system on the grounds that there were too many committees and too much duplication of staff: most committees were too large; there was a very low representation (less than 1 per cent) of serving teachers, which was much lower than in England; and that there was too much emphasis on representation from the old system, with the result that there was a disproportionate number of clergymen on these committees. But the Federation did not support the idea of area education boards. It believed that education was "a national service locally administered rather than a local service nationally controlled" and it suggested that the time has come for its separation from the local government service. The Federation favoured centralisation under the Ministry of Education itself, which it believed would lead to greater uniformity of educational practice; more efficient and more educationally expert administration; and realistic salary negotiations with teachers, because direct talks

would be possible. It suggested the creation of five functional boards to be responsible to the Ministry for the administration of the service and covering educational policy ; teacher training and supply, plus inspectorate ; appointments ; building ; equipment and ancillary services. The Federation argued that each board should include representatives nominated by the elected local authorities, representatives of the Ministry of Education, and representatives of the teaching profession nominated by the teachers' unions ; and that there should be regional offices in Londonderry, Omagh, Craigavon, Ballymena and Belfast.

53. The Ulster Teachers' Union and the Northern Committee of the Irish National Teachers' Organisation also favoured centralisation of education outside local government—but not directly under the Ministry of Education. The Ulster Teachers' Union thought that Ministries were too closely allied to Parliament and therefore too susceptible to political influence to enjoy complete freedom of control ; and suggested that a central authority outside the Ministry would be appropriate which would be partly elected, partly nominated. The Northern Committee of the Irish National Teachers' Organisation in advocating a central authority for all education services pointed out that the youth employment service, teacher-training and the Ulster College already operated centrally. It is fair to say, however, that both teachers' organisations recognised that a central education authority alongside the Ministry of Education could give rise to difficulties, in " overlap and conflict " as the Northern Committee said.

54. On the other hand, the Association of Northern Ireland Education Committees firmly believed that the existing education committees owed their success to the fact that they were " essentially locally based and democratically elected bodies, well aware of the feelings and opinions of the people whom they served and well able to explain at local level the need for new developments and the best methods of implementing them." This Association was therefore strongly opposed to the centralisation of the administration of education either in the Ministry or in any other single body. But since they believed that some of the existing education areas were too small, they proposed a system of four administrative units—Belfast and three others—to act as local education authorities for the province. In thus advocating what would appear to be a system of separate authorities to administer education and library services independently of the rest of local government, their views seem to be in conflict with those of the Ulster Association of County Councils. But they were firm in their view that any body responsible for educational administration should be democratically based, and they therefore urged that a majority of the members of each local education authority should be appointed by the elected local authorities of the area, the other members being persons appointed by the Minister after consultation with the transferors of schools, the maintained school authorities and the teachers' organisations, and other persons interested in education. The Association proposed that these new local education authorities should have the same powers and duties as the existing county and county borough education authorities, with in addition library services ; a broad range of cultural services ; recreational facilities ; the school health service ; and the care of ineducable children.

A single-tier system

55. From the memorandum submitted by the Ministry of Development we select for quotation the following quite unqualified expression of opinion ; —" whatever the number (of local authorities) the case for a single-tier system is overwhelming in terms of simplicity, economy, clarity and reduction in friction and delay."

General

56. This, then, completes our review of the main points that have emerged from the further proposals that have been made to us. If we have not quoted or summarised all the many papers submitted to us it is not because any of them have been ignored but simply because to do so would make this report of quite inordinate length. Nearly all the papers we have received have been stimulating and thought-provoking and they have greatly helped to concentrate our minds upon the major problems. We are grateful to all who had the interest and took the trouble to write to us and we may add that on points of detail many of these papers contained useful and practical suggestions which we have been able to embody in our recommendations.

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CHAPTER 5

THE PROBLEM OF THE MAJOR SERVICES

57. We have now described our methods of working and the background against which the review has been carried out. We have also reviewed the existing published proposals for the re-shaping of local government and the further proposals that have been put to us in the course of our study. At this point we think that rather than immediately give our specific answers to the remaining points set out in the Terms of Reference it will be more helpful to give our appreciation of what seems to us to be the main problem.

58. As we see it we are concerned primarily with making recommendations as to how the whole range of functions at present vested in local authorities can best be administered. Unlike, however, the Redcliffe-Maud or Wheatley Commissions our Terms of Reference do not confine us to the present local government functions ; we can also take account of those performed by the Ministries and by other public authorities. In considering the best system of administration we have applied the three tests suggested in the Statement of Aims—efficiency, economy and the effective representation of local aspirations, all in harmony with public policy as a whole. We accept these as yardsticks by which to measure any proposals that we might put forward and it is therefore right that at the outset we should explain our interpretation of these terms.

59. *Efficiency* we take to mean broadly, in this context, the provision of the services that the public wants, where and when they are needed, without undue delay, unnecessary complication or evasive procrastination. Efficiency need not be and should not be, " soulless ", and if it were, it would almost certainly run counter to the third test, the effective representation of local aspirations. It must therefore be responsive to people's wants ; Oliver Cromwell was a highly efficient administrator, but his belief that the people should have " not what they want but what is good for them " has never been much favoured by the public.

60. *By economy* we understand that the services should be provided without waste of men, money or materials ; they should be provided, that is to say, at the lowest cost consistent with their being of the highest quality and the cost should be one which the citizen who uses and pays for them considers reasonable in relation to the standard of service provided.

61. The *effective representation of local aspirations* seems to us to have more than one facet. It is closely tied in with local involvement and this, in the simplest sense, means that every citizen should be sufficiently interested in the affairs of local government at least to exercise his or her vote. But it means too that for those citizens who are ready and willing to take an active part in public affairs there should be scope for the fulfilment of their civic ambition. As for the great mass of people who

have no desire for active participation in this sense we think that " The Times " summed the matter up well in its leader of 5th February 1970 :— " What matters most to most people about these things is that they be done efficiently, economically and responsively, and broadly in line with expectations. Provided they can button-hole somebody who is in a position to do something about the things which from time to time offend them, they are only too happy to leave the conduct of affairs to others."

62. We may here interpolate that many witnesses confirmed to us that the citizen derives considerably greater satisfaction from " button-holing " his elected representative than from taking his grievance or problem to the paid official. It is also interesting to note that one Northern Ireland council chairman, whose letter to you was passed on to us for consideration, had two months earlier anticipated the views expressed by " The Times " with remarkable accuracy :—" My experience of the man in the street is that so long as he gets the service he wants when he wants it and provided it is in his opinion comparable with what he has to pay for it, where it comes from or which authority provides it, he is not concerned."

The Redcliffe-Maud and Wheatley Reports

63. So much then for the way in which we have interpreted the three tests suggested in the Statement of Aims. In approaching the main problem, we have, of course, paid careful attention to and derived much help from the detailed studies that have been made on local government in Great Britain, in particular the Maud and Wheatley Reports. We neither dissent from nor seek to improve the Wheatley Commission's* description of the purposes of local government :

> " Local Government has a two-fold purpose. Firstly, it exists to supply public services. These may be national services which have to be administered locally, or they may be services of a purely local character. The distinction is rarely clear cut, and we would prefer to put it that local government exists to provide services locally, on such scale and of such character as the nature of each service requires.
>
> " Secondly, it exists to provide local *government*. This means that services are in a real sense locally controlled. There must be an element of choice exercisable locally. More than that, it is implicit that local authorities should in some degree provide a means for the self-expression of local communities."

64. The four basic faults that the Maud Commission detected in the existing structure of English local government seem to us to apply very closely to the position in Northern Ireland. We summarise them as follows :

(*a*) local government areas do not fit the modern pattern of life and work ;

(*b*) the fragmentation of the country into a large number of county boroughs and counties, exercising independent authority and dividing town from country, has made the proper planning of development and transportation impossible ;

* Wheatley Report, paragraphs 113 and 114.

(*c*) the division of responsibility within each county between the county council and a number of county district councils means that services which should be in the hands of one authority are split up among several; this greatly complicates the work of meeting comprehensively the different needs of families and individuals;

(*d*) many local authorities are too small in size and revenue and in consequence too short of highly qualified manpower and technical equipment to be able to do their work as well as it could and should be done.

65. The course recommended by the Maud Commission was that with the exception of three exceptionally large and complex metropolitan areas around Birmingham, Liverpool and Manchester (London not being within the Commission's terms of reference) there should be for the whole of England 58 unitary all-purpose local authorities with, below them, local councils elected to represent and communicate the wishes of cities, towns and villages in all matters of special concern to the inhabitants. In the three metropolitan areas the Maud Commission has recommended two levels of authority, as in London, that is to say, a metropolitan authority whose key functions would be planning, transportation and major development, and a number of metropolitan district authorities whose key functions would be education, the personal social services, health and housing. In its White Paper (Cmd. 4276) of February 1970 on the Reform of Local Government in England the British Government has endorsed those recommendations with two important changes, both of which, significantly, relate to these huge conurbations: first it adds two further areas to be treated as metropolitan two-tier areas, namely West Yorkshire and Southampton–Portsmouth; and second, it promotes the education service within the metropolitan areas from the lower-tier to the top-tier.

66. The Wheatley Commission, in contrast, has recommended for the whole of Scotland a two-tier system of seven regional authorities and thirty-seven district authorities. The population of the proposed regions ranges from over 2½ million in the Western Region, and over a million in the South-Eastern Region down to 145,000 in the South-Western Region. A number of our witnesses argued that the principles of the Wheatley Commission's solution were more appropriate to the circumstances of Northern Ireland than those of the Maud Report. We thought there was much force in that argument in view of the closeness in many respects of Northern Ireland to Scotland.

The special circumstances of Northern Ireland

67. The special circumstances of Northern Ireland, which are the basic factors that we must take into account in making our appreciation, seem to us to be as follows:

(*a*) the size of the province: Northern Ireland, it has often been pointed out, is smaller than Yorkshire and has a population of 1½ million*: moreover, with communications being steadily improved, distances are shrinking;

* The increase over the remainder of the century in Northern Ireland is expected to raise this total to about 1,750,000 in twenty years and by the end of the century to over 2 millions. (Statement of Aims, paragraph 14.)

(*b*) the financial resources of Northern Ireland: the rateable value of the entire province is only £14 millions. In contrast the rateable value of the City of Leeds alone, for example, is nearly £22 millions; and many of the proposed unitary authorities in England will have rateable valuations of £20 millions, £30 millions, and even £40 millions in compact areas. Even if one doubles the Northern Ireland figure to allow for the fact there has been no revaluation in Northern Ireland since 1957 (whereas England revalued in 1963) the rateable value of Northern Ireland still appears miserably low in comparison; one significant result of this is that Government grants form a very much higher proportion of net local revenues (69 per cent) in Northern Ireland than they do in Scotland or in England and Wales;

(*c*) the third main factor, which is unique to Northern Ireland, is the existence of Stormont and this has to be borne in mind throughout. It is important to remember that when the Maud Commission talks of local government "dealing with national government in a valid partnership" the national government it has in mind is not a regional one. Similarly when the Wheatley Commission talks of the desirability of local government being able to take on more responsibilities and being less dependent on central government it does not mean by central government a Scottish regional Parliament in Edinburgh; it means the Parliament of the United Kingdom sitting several hundreds of miles away at Westminster.

68. With these factors in mind we have considered the range of functions for which local authorities at present are responsible and we have had little difficulty in arriving at the conclusion that in today's conditions many of these functions need to be based upon larger administrative units than any of the local authorities that exist today in Northern Ireland, with the possible single exception of the County Borough of Belfast. We doubt whether many people will disagree with this conclusion, one of the important reasons for which is clearly explained in the Statement of Aims in the following words:

> "9. A feature not so widely appreciated but of key importance to the role of local government in helping to provide the physical foundation (or the Infrastructure as it is called) for the country's economic and social development is the increasing difficulty experienced in recruiting and retaining professional and technical staffs—architects, engineers, quantity surveyors, planners and related skills. Far from building up the experience and coherent expertise needed to mount efficient and economical construction programmes the present local administration leads to fragmentation of technical skill. Besides, some councils are even unable to avail themselves of modern mechanical appliances in an age of high-cost labour and many are unable to reap the benefits of bulk buying or of long-run contracts."

The alternative systems

69. There are two main alternative systems for the administration of services which are normally regarded as falling within the local government sphere: the unitary authority and the two-tier division. In the former system

all the services in each area are provided by a single authority, as is more or less the case at the moment in the County Borough of Belfast. It has one great advantage: responsibility is clearly vested in one authority, not shared, and this enables the whole of the services in the area to be planned and co-ordinated by a single body. This was the system recommended by the Maud Commission, except for certain large urban agglomerations. It is particularly appropriate for a country with a substantial number of large towns which with their surrounding countrysides can form units large enough to administer a wide range of services. It is not a system readily applicable to Northern Ireland, which is mainly rural and has few large towns.

70. The two-tier system is based on the well accepted understanding that the optimum management unit is by no means the same for each service. Some require large units and some can be perfectly efficiently administered by small ones. Without any suggestion whatever that any particular service is more "important" or more "valuable" than any other, the two broad categories can be seen to take on the character of wide-area or regional services and of small-area, local or district services. From this point on we propose to use the terms "regional" and "district" to designate these two categories of function.

Analysis of functions

71. In deciding which services fall within each group we have been greatly helped by the work of the Wheatley Commission and its resulting recommendations. The main functions recommended by the Wheatley Commission for regional authorities are as follows:

Major planning and related services (industrial development, transportation and roads, water, sewerage etc., redevelopment, new towns, control of the countryside and tourism)

Personal social services (education, social work, health)

Housing

Protective services (police, fire, civil defence)

Weights and measures and consumer protection

Refuse disposal

Coast protection

Parks and recreation*

Museums and art galleries*

Registration of births, deaths and marriages

Registration of electors.

72. The main functions recommended by the Wheatley Commission for the district authorities are as follows:

Local planning and related services (assistance to industry, redevelopment, control of the countryside)

Building control

* Exercised concurrently by regional and district authorities.

Housing improvement

Ancillary housing functions

Civil defence (local aspects)

Parks and recreation*

Community centres

Museums and art galleries*

Libraries

Environmental functions (refuse collection, food and drugs, clean air, etc.)

Regulation and licensing

Licensing courts

Administration of justice.

73. As we have already pointed out, *one* of the proposed regions for Scotland has a population of about a million more than *the whole population* of Northern Ireland and we may here add that one of the proposed Scottish *districts* has itself a population of close on 1,200,000.

74. It has already been decided by the Government of Northern Ireland that housing should be treated as a regional service. We consider that in Northern Ireland the following services or functions at present provided wholly or partly by local authorities should also be treated as regional—

Education

Public libraries

Personal health, welfare and child care

Planning

Roads and traffic management

Water

Major sewerage systems

Food composition, standards, labelling

Tourism

Electoral arrangements

Motor taxation

Criminal injuries compensation

Major harbours

Gas

Electricity

Public road passenger transport

Fire.

75. As we indicate subsequently in this Chapter and in Chapter 7 many aspects of these regional functions lend themselves to decentralisation and delegation. The last five functions which are in the nature of trading undertakings rather than administrative services we deal with separately in Chapter 6.

* Exercised concurrently by regional and district authorities.

Independent boards

76. We have now to consider what type of administrative unit would be the most appropriate for handling these regional services. The first choice that one must make lies between adherence on the one hand to the principle of directly elected bodies and on the other hand the transfer of all these services to a series of independent, that is to say, autonomous, centralised and specialised boards. As has been mentioned earlier, the system of autonomous boards has found some support, the main arguments put forward in its favour being as follows :

(*a*) such boards will be more impartial and more efficient, because the board members are secure in their office and do not have to keep constantly looking over their shoulders at the electorate ;

(*b*) the board system can draw on the talents and secure the services of many able and public spirited individuals who are not prepared to come forward through the existing electoral system ;

(*c*) the representative principle need not be completely jettisoned because provision can be made for a proportion of the board members to be nominated from the ranks of elected local councillors ; the opinions expressed to us as to what that proportion should be have varied from 25 per cent to 50 per cent to " a clear majority ".

77. After careful consideration we have come to the conclusion that autonomous boards are not suitable except for a very limited range of technical or operational functions. Our reasons for coming to this conclusion are:

(*a*) we attach considerable weight to the view of our very experienced Consultant that such boards, while they may be suitable for services with a mainly technical content, are not in general appropriate for services which carry social implications ;

(*b*) such a board is in great measure insulated against the pressure of public opinion, this no doubt being the very reason why it has such an appeal to some administrators ;

(*c*) there would be a duplication of staff and overlap of functions as between the responsible Ministry and the board, resulting in a difficult and delicate relationship between them ;

(*d*) there would be problems of accountability, for the greater the independence of the board, the more is Parliament's control reduced ; the less the independence of the board the more its members feel irked and frustrated ;

(*e*) the problem of securing co-ordination between the activities of a number of separate and independent boards would be one of considerable difficulty, particularly at the local level ;

(*f*) as one witness wrote " there is a general feeling . . . that there is a plethora of *ad hoc* bodies " and he went on to ask " Is it realistic to suppose that real reform of ancient political attitudes can be achieved by *ad hoc* bodies? "

The choice

78. Having thus decided in favour of the representative principle, it seems to us that for the regional services (excluding the trading undertakings) the choice can only lie between :

(*a*) creating not less than three, not more than five, large local authorities, leaving Stormont with general powers of supervision, control and stimulus ;

(*b*) investing Stormont (itself an elected authority) with prime executive responsibility for the regional functions.

79. Let us first consider course (*a*). The difficulty here is that local authorities large enough to be effective units for all the major services would be too large to be close enough to the people in the small towns, villages and rural areas. There would thus need to be another level of local authorities, closer to the people—as indeed was recognised in some of the major papers put to us. But, when we bear in mind the size, population and resources of the country it seems to us clear that Northern Ireland cannot afford two levels of local authorities below Stormont without running the risk of still being as seriously over-administered as we consider it now to be. We are satisfied that the country needs only two levels of elected government apart from Westminster: an elected Parliament and one tier of elected local authority. Standing back for a moment and looking at the province in its historical setting, it seems to us that if Stormont had existed in the nineteenth century the present local government system would not have evolved. The nineteenth century creation of county and county borough councils in addition to borough, urban and rural district councils took place within a setting in which the administrative centre for the whole of Ireland was in Dublin Castle, the only Parliamentary control was exercised from London and there was no regional government in Belfast.

80. It would in any case be extremely difficult under course (*a*) to devise suitably sized and shaped areas for major local authority units. Starting with Belfast, we very much doubt whether it would be at all wise to retain the present boundaries of the county borough under course (*a*). There would be a strong case for bringing in the area up to the Matthew stop-line and even well beyond it, out to the limits of the present-day concept of Greater Belfast which goes as far as Aldergrove Airport, Carrickfergus, Bangor and Craigavon. Thus this one authority would take about half the population and an even higher share of the rateable value of the whole country. If the remainder of the country were then divided into, say, three regional councils this would probably mean at least one with a population of less than 250,000 and a rateable valuation of a mere couple of millions or so. There would, therefore, be a great disparity of resources, which would necessitate especially large Exchequer grants to the poorer authorities or elaborate equalisation arrangements between the councils.

81. We therefore favour course (*b*) and our main recommendation is that Stormont itself should be responsible for the regional services and that, as we explain later in more detail, the district services should be the responsibility of not more than 26 district or borough councils, each based on a town or other centre.

82. We must now explain what we mean by saying that "Stormont" should be responsible for these regional services. As we have already stated, we do not have in mind that the regional functions should be vested in a series of autonomous boards. We mean that the services should be clearly vested in the appropriate Ministries and that their Ministers should be accountable to Parliament for their satisfactory administration. This is not a totally new thought in the administration of Northern Ireland. The Ministry of Agriculture, for example, has long had many direct executive functions, including education and research. Similarly, other departments at Stormont have for many years had direct responsibility for a number of services which in Great Britain would be the functions of local authorities, for example, police, the courts, civil defence, weights and measures, teacher-training and the probation service.

83. It seems to us that the individual main functions could appropriately be vested in Ministries as follows:

Education and public libraries in the Ministry of Education ;

Personal health, welfare and child care, food composition, standards and labelling in the Ministry of Health and Social Services ;

Planning, roads, traffic management, water, main sewerage systems in the Ministry of Development ;

Electoral arrangements, criminal injuries compensation in the Ministry of Home Affairs ;

Tourism in the Ministry of Commerce ;

Motor taxation in the Ministry of Finance.

We deal with the distribution of Ministerial functions more fully in Chapter 10.

Implications for Stormont

84. We fully recognise that this recommendation has important implications for Ministers and their departments and for Parliament. At present Stormont, subject to certain exceptions, is primarily concerned with major issues of policy, whether or not involving legislation and with the general oversight of a large number of functions for which primary responsibility is vested in locally elected councils. Our recommendation would make Stormont directly responsible for a number of important executive functions and for their effective provision and performance over the whole of the country. Stormont would thus be a Parliament in the ordinary sense of the term and also a metropolitan or regional authority in the local government sense. No doubt some critics, as recorded in Chapter 4, will argue that this extension of functions would be at the expense of the effective carrying out of its present functions and could lead to excessive centralisation. On this we would make several points. We must report that there is undoubtedly a strong body of opinion which favours certain services being provided on uniform standards over the whole of the country. If this is accepted the only alternative to vesting these functions in Ministries is to vest them in a single elected council or in one or more autonomous boards. The former would largely duplicate the House of Commons and the latter would, we are sure, very soon run into serious problems of accountability and popular

control if their scope were extended beyond the limited range of technical and trading operations which we indicated when we set out the arguments for and against boards earlier in this Chapter.

85. Since Ministers will have to answer in Parliament for the effective provision of regional services and the performance of regional functions over the whole country, the Ministries clearly must concern themselves directly with policy, finance, law and standards, as well as programmes and priorities within the regional, economic and physical plan ; and it will not be possible for them to divest themselves of that responsibility.

86. It does not necessarily, and in all cases, follow that the Ministries must themselves deal with the detailed carrying out of those policies, the actual employment of all the professional, technical and operative staff, the handling of transactions in land, buildings and machinery, day-to-day supervision and quick short-term decisions on the ground—all that is conveniently covered by the term " management ", which we use in that sense from now on.

Administrative machinery

87. We do not think it would be right for us to try to dictate in advance in any detail the administrative machinery by which the Ministries will discharge their duties of management. Each Ministry will need to make its own assessment. But as there will plainly have to be some degree of decentralisation and delegation (and the degree may be different for different services) we may perhaps suggest what we think should be the general principles that should be applied:

(*a*) the system should be kept as flexible as possible, so that it may be adapted to changing circumstances and so that if one form of decentralisation or delegation is tried and found wanting, another may be substituted ;

(*b*) Ministries which at present have direct executive responsibilities generally organise their work on a functional basis within the Ministry headquarters but on a geographical basis in the field. We foresee that some of the new executive responsibilities which we assign to Ministries could be discharged in a somewhat similar way. The benefit of expert knowledge on a particular aspect of a service can thus be made available directly to the Minister in his headquarters office, while local offices, close to the problems on the ground, can co-ordinate a number of activities that need to be focussed on a local project and can best be managed by officers with practical experience of executive work. Many of the latter will be former local government officers who know their locality, are accustomed to working with the existing teams of staff (of whom we had the opportunity of seeing some good examples) and are in addition recognised figures in their community ;

(*c*) another possibility is that of the agent area board discussed in the Green Paper and, to the extent that this system is used, we think that the areas should be co-terminous for all purposes (with the possible exception of water) and the area boundaries should not cut across district boundaries ; we believe that four areas would be sufficient for the whole province. The functions should be entrusted to area boards whose members would be appointed by the appropriate

Minister ; the boards should be clearly agents of the Ministries ; their membership should represent effectively the community which the boards are to serve, and represent not only the professional aspects of the services but the needs and views of the community at large, in short, of all those who use the services, as the Green Paper suggests ; and to this end they should contain a proportion of district councillors ;

(*d*) where more than one area board is operating in any one area (for instance, an area health board and an area education board) arrangements should be built in from the outset for the closest collaboration between the several boards, and between the boards and Ministry local offices ; all these agencies are after all only separate aspects of a single service whose essential object is the provision of social and environmental services of one kind or another to the family and the individual ; these arrangements should cover such points as the sharing of office premises, interlocking membership in the boards, interlocking appointments (e.g. the use of the area health board's medical officers by the area education board and of education officers by the health board), the sharing of services and service departments such as architecture, legal and maintenance. The responsible Ministries should be quick to correct any tendency towards the creation of separate " empires " in the areas. In any case we understand that under the area board system the Ministries themselves would be providing a number of common services, e.g. research, statistics, cost control, computer facilities, productivity studies and so on and this in itself would help to unify the work of these agent boards and of the Ministries and so avoid duplication ;

(*e*) for some of the services, Ministries may well conclude that the district councils which are more fully described in Chapter 7 would be suitable agents. In that Chapter we give some instances of specific fields of work where we think that delegation to district councils would be appropriate ;

(*f*) before delegating functions to a district council as its agent a Ministry would of course have to be satisfied as to the council's willingness, competence, staffing and general suitability. Where these conditions are not present or where they cease to be present other methods must be used.

88. We see many benefits in the effective decentralisation and delegation of management. First, without impairing the principle of accountability, it relieves Ministers and senior officials of the Ministries of a heavy burden of day-to-day detail which they do not need to carry, and reduces the need for an increase of staff at Stormont, with all the problems of office accommodation that would ensue. Secondly, it avoids the creation of large bureaucracies with requests for decisions having to travel up an unduly long road from the seat of a problem to the seat of power. Thirdly, it offers the possibility of variation in methods and in style across the country, with the added spur of healthy competition. Fourthly, it preserves administrative centres and offices in towns throughout the province readily accessible to local people ; and fifthly, it provides a framework that ought to make practical

co-ordination and collaboration easier in the field. Of course the best methods of achieving decentralisation of command while ensuring proper policy and financial control will call for extensive Organisation and Method Studies and training in management and supervision will also be needed.

Flexibility

89. We have stressed the need for flexibility in whatever arrangements are made. We have done so because first, the regional functions which are commonly listed under short, one- or two-word titles, e.g. education or roads, are in reality complex affairs. The promotion of further education, of grammar schools, of teacher training, of school transport and of school meals present different problems in practice ; and each in turn has aspects that differ widely from one another. Again the design and construction of a motorway junction is a vastly different matter from the maintenance of an unclassified village street, although both are designated " roads ". Secondly, conditions vary across the country and a form of management that may be right for Belfast or Craigavon may be wrong for Strabane or Magherafelt. Thirdly, the staffing resources of district councils will vary greatly and so therefore will their sheer capacity to accept delegated functions. Fourthly, and perhaps most important in Northern Ireland, is the opportunity for changing the structure of public administration in response to changing needs as time goes on. It could well be that the facts of the situation in relation to any regional service will have changed radically in five, ten or fifteen years. Under our proposal for Ministry responsibility with decentralised or delegated management it will be readily possible at any time to alter the management arrangements without an upset in the historic structure of power and prolonged, contentious argument.

90. There may be certain matters for which the arrangement of principal and agent would not be appropriate. In the British Parliamentary system Ministers are answerable to the House of Commons for all acts done and decisions taken by them or by any of their officers. They cannot avoid this answerability by delegating their responsibilities. Special arrangements are, however, sometimes used to relieve the Minister from having to accept responsibility for decisions in individual cases either because they are not thought to be matters best handled by the normal political process or because the sheer number of cases might overwhelm the parliamentary process, e.g. complaints under the social security scheme. The method used is to take decisions of this kind out of the hands of the Minister and vest the making of them in some other body by statute. There may be opportunities for the use of arrangements of this kind in the administration of the regional services by Stormont but as far as we can see they are unlikely to be large. Consideration should however be given to the creation of Independent Hearings or Tribunals for some types of appellate function and the appointment of bodies similar to the Supplementary Benefits Commission, consisting of independent people working closely with the administration and taking responsibility for decisions in certain defined spheres. Another example would be the building up under the Youth and Sports Council of a continuous two-way contact between itself and the local authorities in order to assist with the provision of the best recreational facilities at the lowest cost and in the shortest time. There is much new ground here and it may well be wise to proceed cautiously by experiment and trial and error.

Parliament

91. Finally, there is the effect that our recommendations would have on the work of Parliament and in particular on the work of Members of the House of Commons. At the moment, though Members take an interest in the activities of the local councils in their constituency and may get involved in dealing with particular cases or issues, nevertheless, the bulk of this kind of work is performed by councillors. When certain regional functions become the responsibility of Stormont and the number of councillors is greatly reduced, citizens either individually or in groups will turn to their Member of Parliament for advice and for the redress of grievances. If the present House of Commons remained unchanged, then each Member of Parliament would, in addition to his many other Parliamentary duties, acquire a new responsibility for securing the efficient and proper administration of a whole range of functions of considerable importance to the well-being of, on average, some 30,000 people, a population larger than that of many of the existing local councils. It may therefore in time be thought necessary to increase the size of the House of Commons and it would, indeed, be not inappropriate if the proposed reduction in the number of councillors led to some increase in the opportunities of service in Parliament.

92. A further reason for thinking that our proposals may in the course of time call for an increase in the size of the House is that the transfer of the regional services to Stormont could bring in its train the need for select committees. If these regional services are to be the responsibility of Ministers, Members of Parliament as the elected representatives of the people will no doubt wish to take a close and continuing interest in them. For this purpose it seems to us not unlikely that Parliament may think of establishing one or more select or standing committees concerned with these regional services.

93. We appreciate that any increase in the size of the House of Commons would require an amendment of the Government of Ireland Act 1920, which can be effected only by the Parliament of the United Kingdom.

94. The Lord Mayor of Belfast and the Mayor of Londonderry have enjoyed the right to sit in the Senate. This arrangement might now be re-examined so as to permit some other local authority representatives to sit in this Upper House. One possibility would be that the Mayors and Chairmen of the district councils should be empowered themselves to elect a few of their number to sit in the Senate for a term. We make this comment in fairness to the other local authorities and also in a further effort at bringing independent and varied local opinion to bear on public administration.

CHAPTER 6

TRADING UNDERTAKINGS AND THE FIRE SERVICE

95. In paragraph 74 we listed five functions in the category of regional functions: gas, electricity, public road passenger transport and major harbours—all trading undertakings—together with the fire service, which though not a trading undertaking is a public service which shares some of their characteristics. We classed them as regional for two reasons: partly because under our definition in paragraph 70 they are "wide-area" matters and will be increasingly so as technology advances, and partly because of the great importance of all of them to industrial promotion and the economic development of the whole of our region.

96. All these functions were included in Appendix 3 of Further Proposals as being among the main functions to be undertaken by the suggested 17 area councils; and because our Terms of Reference require us to advise on "the most efficient distribution under the Parliament and Government of Northern Ireland—whether under local government or otherwise", of the functions dealt with in Further Proposals, we have given all these functions some consideration.

97. Obviously the mere listing of trading undertakings as among the main functions of the proposed 17 area councils cannot possibly have meant that it was ever intended that each of the 17 should run its own gas works, its own bus service and its own electricity supply. The fact is that with the exception of Belfast (and, in the case of gas, of a few other towns such as Lurgan which maintain their own gas works; and in the case of electricity, Londonderry which supplies but does not generate electricity) these services of gas, electricity and public transport have not, at least for many years, been thought of in Northern Ireland as being local authority services at all, in the accepted sense of the term "local authority". Electricity, outside Belfast and Londonderry, has been a matter for a central statutory board, the Electricity Board for Northern Ireland (E.B.N.I.), while public road passenger transport, Belfast again excepted, is mainly in the hands of Ulsterbus Limited, which is a kind of successor state to one part of the empire of the former Ulster Transport Authority. Besides, these bus services, though extremely valuable, today form only one sector in the whole concept of transport that embraces railways, road freight, harbours, airports, the private car, car parking and traffic management.

98. We are aware of certain problems in connection with electricity and bus transport, and we describe them briefly below. But it seems to us that these problems are not urgent in the sense that the major problem of re-shaping local government *is* urgent. Indeed, some of them seem to have been under intermittent debate for twenty years or more. We have no wish to seem to be passing over these issues of the public utilities but we are forced to two conclusions. First, it would be wrong of us to attempt

to pronounce upon such questions as their management or technical operation without a very much closer and more detailed examination. Secondly, it would be equally wrong to hold up our report on the main issues in order to carry out an examination of this nature. We must therefore confine ourselves to recording our broad views as follows, and in the sense that we indicated in paragraph 13, regarding our review as a whole.

Gas

99. By far the biggest undertaking is that maintained by the Belfast Corporation. It seems to us to be efficient, well-run and up-to-date; it makes no call upon the public purse; it is co-operative over the supply of gas to neighbouring areas. As things now are there seems to be no call for interfering with it. But looking to the future we think that consideration should be given to the establishment of a gas service incorporating all modern forms of gas supply, which would eventually cover the whole province. The Belfast gas undertaking might well turn out to be a good base on which to help to construct such an extended service.

Electricity

100. There are three electricity supply undertakings in Northern Ireland, the EBNI, the Belfast Corporation and the Londonderry Development Commission, but only the first two generate electricity. The electricity so produced is sold to the Northern Ireland Joint Electricity Authority established by Act of Parliament in 1967, and the Authority then sells it back to the three undertakings at their respective points of supply at a common bulk supply tariff. It is known that the Ministry of Commerce is considering whether there should be an amalgamation of the three existing undertakings into a new body and that its intention is to publish a White Paper on the subject later this year. Prima facie it seems to us that economies of scale should result from an amalgamation but we do not attempt to anticipate the outcome of the Ministry's study.

The Bus Service

101. Public road passenger transport is provided throughout the province by Ulsterbus and three other Companies, except in Belfast where, for over 65 years, the Belfast Corporation has provided services (trams, trolleybuses and now buses). The Corporation has a statutory right but is not under a statutory duty to do so. Its policy of paying its way, taking one year with another, has resulted at the end of this long period in an accumulated deficit of only £100,000 against a total revenue of £3,600,000. This is a fine achievement. But the Corporation believes that with an increasing inability to recover steeply rising costs by a corresponding increase in fares, this happy state of affairs cannot last much longer. The Corporation's remedies would be, first, a subsidy on its capital equipment; secondly, some extension of its scheduled routes into areas now covered by Ulsterbus; and thirdly, a bigger share of the lucrative private hire business. These last two are both matters for negotiation with Ulsterbus, under the aegis of the Ministry of Development. It seems to us that in today's conditions there is a social obligation to provide public transport in a city of Belfast's size, both for the benefit of those who cannot afford private transport and also to prevent

the city's traffic being choked by the private motor car. It is by no means so clear that this obligation should be fulfilled at the expense of the Belfast user or ratepayer and the day may come when the Corporation which, as we have said, is under no obligation statutorily to provide bus services, may be content to be relieved of this responsibility.

The Fire Service

102. Fire cover is provided by two public authorities—the Belfast Corporation and the Northern Ireland Fire Authority established in 1950. It seems that if there had not been disagreement at that time between the Ministry of Home Affairs and the Belfast Corporation, mainly over financial control, the province might today have a single unified fire service.

103. The Corporation have one of the longest established brigades in the Kingdom and one of high reputation and efficiency. It is the only local authority fire brigade in the United Kingdom which receives no financial assistance from central Government. It is a whole-time brigade whereas the Fire Authority Service is mainly—though not by any means wholly—on a part-time or retained footing.

104. Once again there is nothing whatever in our main recommendation about district councils which would in any way preclude the City from continuing to run its brigade. But the impression which we gained was that the Belfast Brigade could usefully form a most valuable adjunct to a unified fire service for the whole province. This could quite properly have both whole-time and part-time or retained elements. Such a development would, in our view, make fuller use of the excellent Belfast service (including its training facilities); over-ride administrative boundaries which—to the extent that they may continue to be a handicap of any sort—seem to us totally unacceptable in a matter of fire and of life and death; and improve the cover which the country can offer to industrial and commercial occupiers as well as house-holders in the development of the rest of Northern Ireland.

Harbours

105. The main problem here again seems to be one of investment and planning in the interests of the regional economy rather than any suggestion that any one harbour or another is less efficiently managed than it might be. There is the further problem of linking the major harbours effectively with other aspects of public transport so as to ensure maximum use of the harbour facilities provided. None of these are new problems; they are well understood by the harbour authorities concerned. Our contribution is to stress that so far as major harbours fall within the scope of our review, they should be treated as regional assets serving regional needs and that administrative boundaries should in no way be allowed to impede their full and economical development.

106. Some local harbours on the other hand are owned by local authorities and can be perfectly well looked after by the new district councils. It may indeed form an increasing part of their responsibility in future to foster still more jetties and landing stages to cater for increased boating and fishing and to support them with lighting, car parking, cleansing and other district services.

General

107. What then is our advice on these regional trading undertakings and the fire service?

108. First, we distinguish them from the administrative services of a regional character—education, health, child care and so on—by making clear that they do not need to be actually vested in the Ministries as prime executive functions, provided the Ministries have adequate statutory powers of overall supervision.

109. Second, our main contribution is to stress the regional character of these functions, and the regional needs which we believe they must serve. Industrial development, growth centres, economic prosperity—these are all parts of a whole, especially in a small, under-developed region such as ours; a full range of up-to-date public utilities organised on a flexible, adaptable pattern, free from administrative or boundary restrictions and from the limitations of local susceptibilities is clearly a regional necessity. We can afford nothing else.

110. Third, our objections to independent boards do not apply to the administration of technical, operational and commercial services such as we are considering here.

111. Fourth, the suggestions which we make elsewhere for decentralisation and delegation do not apply with anything like the same force to the matters dealt with in this Chapter. The social content is far less and the element of popular involvement hardly arises at all. Such decentralisation or delegation as may be carried out should depend on the technical and commercial judgment of the people responsible.

112. Fifth, the consultative role which we recommend later on for district councils could have a big part to play in all these technical services. In other words the responsible authorities—for their own guidance and support —would in our view be wise to avail themselves of the district councils in their capacity as "consumer councils".

CHAPTER 7

DISTRICT COUNCILS

113. We now consider the question of locally elected councils, their number, size and character, and the services which we recommend should be vested in them. As we have made clear earlier, functions and size are interrelated. In our view locally elected bodies in Northern Ireland should satisfy three criteria:

(*a*) their areas of administration should be small and cohesive enough to provide close local contacts yet be large enough and have sufficient functions to enable them to employ adequate senior staff;

(*b*) they should provide all who wish with an opportunity to partake in the discussion and settlement of local policy, an opportunity not dependent on Ministerial wishes or powers;

(*c*) they should be based on the main centres of population and provide a close link between town and country.

The councils we recommend

114. In the present system we have been impressed by the standard reached by many of the borough and district councils in the administration of local services and we concluded that areas of that size are very suitable for the running of local functions. We are satisfied that these functions could effectively and efficiently be administered in Northern Ireland by a number of district councils on the present model but integrating town and country; and this indeed is the model of the district authorities recommended for Scotland by the Wheatley Commission. In considering the number of district councils there should be, we have taken account of the great deal of work carried out in drawing up the proposal for a total of 17 area councils which is put forward in Further Proposals. There are a number of arguments which can be advanced in favour of this or even a smaller number of councils, say 12–15. For example, the smaller the number, the larger the council areas would be and the greater the likelihood of a sufficient load of work to employ qualified professional and technical staff. Another advantage would be that there would be fewer bodies to be consulted and fewer concerned with the carrying out of the public services; it could be said that with such factors as increased mobility, greater ease of communications and more expensive technical equipment all tending towards larger units, this makes sense. On the other hand, although the concept of 17 local councils was a useful starting point for us, it has lost much of its force because of the Government's decision on housing and our decision on the administration of the regional services. As an alternative we considered making every existing borough and urban district the centre for a new district; this would have given a total of 35 districts. But on closer examination, we found that some of the towns concerned were not main centres of district activity, for instance Warrenpoint, Dromore, Donaghadee and Tandragee. We therefore concentrated on those places which we considered

were main centres and this brought the total down to a maximum of 26 districts in all. It seems to us that district councils based on that number of districts would meet the tests which we set out in paragraph 113 above.

115. Accordingly we recommend that not more than 26 borough or district councils be established, the precise number and their boundaries to be determined by a Local Government Boundary Commission. The list we favour is as follows :

Antrim
Armagh
Ballycastle
Ballymena
Ballymoney
Banbridge
Bangor
Belfast
Carrickfergus
Castlereagh
Coleraine
Cookstown
Craigavon
Downpatrick
Dungannon
Enniskillen
Larne
Limavady
Lisburn
Londonderry
Magherafelt
Newry
Newtownabbey
Newtownards
Omagh
Strabane

116. By this we mean that the places we name (Craigavon embracing Portadown and Lurgan) should form the centres for the new larger local authorities. The areas of the great majority of the present rural district councils would be merged with the main town or centre. We do not rule out the possibility of a final total number of district councils slightly less than the 26 we propose. We foresee that in one or two cases this may be the wish of the existing councils concerned ; and we recommend that the terms of reference of the Boundary Commission should be wide enough to permit that amount of flexibility within the spirit of our report as a

whole. Looking to the future it should also be open to the new district councils as time goes on and conditions change, to propose and achieve further amalgamations under ordinary local government law and procedure.

The county councils

117. There would be no place for the county councils in the structure that we are recommending, for their functions would be taken over either by Stormont or by the district councils. We realise how unwelcome this will be to the county councils who have discharged the burden of major services over many years and whose members and officers have given devoted and efficient service to the work. It may, however, come as no great shock for it was explicitly foreseen in Further Proposals that for the county councils there might be no place in whatever new local government system might emerge.

The county borough councils

118. Our proposals also mean the transfer of major functions from the two county boroughs of Belfast and Londonderry to Stormont. At first sight this might seem a blow to the corporate pride of two great and historic cities, but before indignation begins to boil too hotly the following points deserve consideration. First, their ancient civic dignities will continue unimpaired. Secondly, both—and especially Belfast—can have a most important part to play, not only in the discharge of the functions vested in them as of right, but also in the exercise of the functions that we envisage will be delegated to them. Thirdly, it is worth pointing out that our proposals for Belfast are comparable to those of the Wheatley Commission for the two equally historic and even larger cities of Edinburgh and Glasgow, each of which will become the headquarters of a region, just as Belfast, through Stormont, will continue to be the provincial capital ; but the existing municipal authorities of Edinburgh and Glasgow will become district councils.

Functions of the district councils

119. Until the precise boundaries of the new district councils are fixed, it is not possible to give an exact forecast of their size, but so far as we can see, there will be few with a population less than 30,000 and many will be considerably larger. Under our proposals in place of the present 73 local authorities there will be not more than 26. It is important to remember that these new authorities will be operating under the new electoral law of one man one vote at age eighteen, and that their wards will be determined by an independent commission. The functions of these district councils will be of four kinds: executive, representative, consultative and ceremonial.

Executive functions

120. These will arise in two distinct ways. There will be those which the councils operate in their own right by virtue of the powers vested in them by Parliament, and those which they may carry out as agents of one or other of the Stormont Ministries. The vested functions should be:

Environmental health, including
food hygiene
safety, health and welfare in offices and shops

port health
clean air
environmental health education
abatement of nuisances

Cleansing, including
refuse collection and disposal
control of dumping
streets
litter, car bodies

Urban drainage

Harbours
other than major harbours

Sewerage
other than major systems

Public conveniences

Cemeteries and crematoria

Bye-law control of building

Recreation, including
parks
open spaces
swimming pools
caravan sites
youth welfare

Entertainment and culture, including
promotion, direct or indirect, of drama, music, painting, sculpture
museums and art galleries

Protective services, including
safety in the home
water safety
road safety

Regulatory services, including
licensing of cinemas, dance halls
street trading
explosives and fireworks
dangerous buildings
licensing of pleasure boats

Bye-laws, including
good rule, vandalism, noise

Markets and abattoirs

Civic improvement schemes.

121. We were attracted by the recommendation of the Redcliffe-Maud Commission that local authorities should have a general power to spend money for the benefit of their areas and inhabitants. The present interpretation of *ultra vires* can restrict worth-while local experiments. We think

therefore that consideration should be given to empowering the new district councils to spend up to say a 6d. rate for the benefit of their areas and inhabitants.

122. It is not possible to list the executive functions for which the district councils will act as agents, as this will depend on the manner in which the Ministries concerned decide to organise the regional services being transferred to them. We certainly envisage that the district councils should handle local planning applications, within the overall development plan for which the Ministry of Development would be responsible. Similarly with roads—the Ministry of Development might well ask district councils to undertake, as the Ministry's agents, responsibility for roads that are of mainly local significance, with the Ministry itself retaining direct responsibility for motorways, trunk roads and other roads of regional importance.

Representative functions

123. As the locally elected representative body for their area the district council will have the general right, and indeed the responsibility, to express views on the provision and operation of any of the public services in their area. Some of the elected members of the councils should, as we have said, find a place on any area boards established by the Ministries to handle regional services. In order not to blur Ministerial responsibility, we think that the proportion of local councillors appointed to such bodies should never exceed 50 per cent, probably 30-40 per cent being a convenient figure.

Consultative functions

124. Because they will be representative of and conversant with public opinion in their areas, the district councils should be suitable bodies to reflect local opinion on matters of general national interest, such as major transport changes, public holidays or the siting of Defence establishments.

Ceremonial functions

125. There is an important and well accepted place in the life of any community for the civic head and other representative citizens to take part in all kinds of ceremonial occasions. A number of the councils that we suggest are based on the existing chartered boroughs, and to mark the importance that we think should be given to the status of district councils generally, we recommend that legislation should permit all the new councils to petition for the status and privileges of chartered boroughs. The City of Belfast should continue to enjoy its present dignities.

126. Finally, underlying all our proposals for the new structure of administration is the recognition of the essential interdependence of the various parts of the public service—locally elected councils, area boards, and the Ministries. Each has its strength and limitations, each has its contribution to make. There should be many ways of securing fruitful collaboration between the three kinds of body.

Implications for elected local government

127. Our Terms of Reference ask us to bear in mind the implications for elected local government of any courses of action which we may deem advisable. The implications of the course that we are here recommending are, we suggest, almost wholly favourable for elected local government

which, in this context, means the district councils that we have proposed. The main characteristic of most of the functions that we have recommended should be vested in them as of right is that they are essentially *local*, and the principal role of a district council, in our view, will be to concern itself with local matters—with local conditions, local amenities, local cultural facilities, local recreational facilities, youth welfare, children's play centres, local problems of vandalism and the like. But from what we have already said it will be clear that this is not the only part that we see district councils playing in the structure that we are recommending. We have indicated that there are a number of ways in which functions could usefully be delegated to them as agents for the central administration. They will be the bodies that will send forward some of their number, elected councillors, to serve on area boards for those regional services for which this system is adopted. They will act as "consumer councils" for the services provided for their citizens, which will mean close consultation between the district councils and central administration. The role that we see them playing in the structure as a whole is not just an important one, it is essential.

128. The district councils will be firmly in control of the management of their own local affairs, firmly in control of their local rates. They will be bigger and stronger than the majority of existing borough, urban and rural district councils. The distinction between urban and rural will disappear, yet the areas will not be so large as either to risk loss of local contact between the electors and the elected or to make such demands upon the travelling time of councillors as to make it difficult to hold meetings in the evening. (We had stressed to us more than once that without evening meetings which make it possible for those who must earn their living by day to serve as councillors, councils would otherwise become the preserve of the wealthy and the retired.) If our recommendation is accepted that all district councils should be permitted to petition for the status and privileges of chartered boroughs, their standing must surely be enhanced. We accept that the role that we envisage for the Staff Commission in Chapter 9 may to some extent impinge upon a local authority's traditional freedom to "hire and fire"; but if the Commission goes about its work wisely, and holds to the principles that we outline in that Chapter, we firmly believe that the disadvantages to local authorities will be minimal, and far outweighed by the advantages.

Community groups

129. Within the districts themselves there will, we think, be a place for community groups by which we mean bodies who seek to represent views of a neighbourhood but who are not publicly elected and who do not have statutory functions. We welcome the suggestion made to us by more than one witness that bodies of this kind could play a wider part in the life of the province. A number of such bodies already exist, under various names, and we have met the representatives of some of them. Their energy, enthusiasm and enterprise are heartening. At times their activities appear to be resented and one professional Association, which believed that local opinion could best be brought to bear through elected representatives, told us that it was concerned "at the number of voluntary associations which

currently assume this function without a democratic mandate." The role of the gadfly, however, has its uses.

130. The essence of a community group is, as the name implies, that it is based upon a recognisable community. This may be a town, a village, a neighbourhood, a river valley. A community group need not be—and, at least at its inception, seldom is—an elected body, and it usually comes into existence through the enthusiasm of a few individuals. Where this enthusiasm does not arise spontaneously it can, and should, be stimulated. It would be a considerable stimulus if district councils were empowered to give reasonable financial assistance for approved purposes to the recognised community groups in their districts; and we recommend that legislation should provide for this.

CHAPTER 8

FINANCE

Revaluation

131. Representations have been made to us from many quarters about the unsatisfactory state of the Valuation Acts, the need for revaluation and for correcting the anomalies which result from the continuance of widespread derating and the exemption of charitable and similar properties. There is much force in these arguments, which are fully set out in Professor A. R. Ilersic's treatise on Local Government Finance in Northern Ireland published by the Association of Local Authorities of Northern Ireland. Indeed, many of the arguments had already been advanced in the report over ten years ago of the Nugent Committee (Report of the Committee on the Finances of Local Authorities, 1957, Cmd. 369). We urge that, so soon as decisions have been taken on our report as a whole, the rating system should be brought up to date. We recognise that this will not be an easy task. There are complex legal, financial, economic, social, administrative and professional issues involved and a considerable shortage of the necessary skilled staff. Public understanding and support will be needed and careful preparation and advance publicity would be advisable. In particular, a revaluation is long overdue. It must be clearly understood that revaluation as such does not increase the rate revenue. But it must be equally understood that when the valuation lists are as out of date as they are in Northern Ireland, the burden of rates is no longer equitably distributed between one ratepayer and another.

A community contribution

132. It has also been put to us that with the extension of the local government franchise to a universal franchise with votes at 18, there should be a corresponding widening in the range of those who contribute to local revenue. The argument is that people who have a vote in local government but do not make a direct contribution to the rates, should pay some form of "poll tax". (Since the expression "poll tax" is liable to lead to confusion with the electoral poll we would prefer some such term as "community tax" or "community contribution".) In short, "no representation without taxation". It was urged that apart from augmenting local taxes or alternatively reducing the rate burden on others, a contribution of this nature would help to bring home to those who do not at present pay rates—and particularly to young people—their stake in the community and their responsibility towards it. It is, of course, true that many of these people will through taxation, direct or indirect, be contributing to local revenue of which Government grant, found from tax revenue, forms so large a part. But it has been argued that a direct contribution such as has been suggested would sharpen their realisation of the cost of local government services.

133. The argument has its attractions and we were sufficiently impressed to cause enquiries to be made about the feasibility of a local tax of this kind. Regretfully, we must report that we are convinced that there are formidable

practicable objections to any such tax in present circumstances. For instance, out of the 1,025,000 electors on the new register, it is estimated that—excluding ratepayers and their spouses—there are somewhere around 200,000 people who would come within the field of such a tax. This number would have to be substantially reduced to take account of pensioners, the unemployed, the sick, students and others, and at this point it becomes highly questionable whether the obvious difficulties of establishing liability for the tax and of its assessment and collection, could possibly be justified in the face of the likely return. There are other difficulties in the framework of the United Kingdom system of taxation, finance, social services and registration; and the introduction of a new and unprecedented tax of this kind in Northern Ireland alone, out of the whole of the United Kingdom, would clearly be resented and misunderstood.

134. Nonetheless, although we have not found ourselves able to make any recommendation in favour of a "community tax" or indeed any other form of augmentation of the local rate revenue, we do recommend that the whole question of the broadening of the basis of local taxation should be kept under review by the Government and particularly in the light of any developments in this direction in Great Britain.

Rating

135. We now consider rating in the light of the changes that we have recommended in responsibility for functions, that is to say, the transfer from local authorities to Government itself of direct responsibility for a number of large-scale or regional services which are at present financed in part from the rates, leaving the district councils responsible directly for the district services.

136. We have already indicated (paragraphs 74 and 120) what we consider to be regional services and what to be district services and in the table below we show—although necessarily as approximations because precise figures are not available—the cost of these two groups of services in 1969–70.

	Cost	*Exchequer*	*Rates*
Regional Services			
e.g. education, health and welfare, roads, planning etc.	£73m.	£52m.	£21m.
District services			
e.g. sanitation, recreation etc.	£6m.	£1m.	£5m.

137. These figures serve to illustrate three facts which we think are reasonably well known:

(*a*) the regional services (and in particular education which takes £9m. of the £21m.) account for by far the largest part of the rate demand;

(*b*) nevertheless the rate contribution to the regional services is only a minor part of the total cost of these services—the major part coming from Exchequer monies;

(*c*) the district services are financed to a large extent from rate revenue and not the Exchequer.

138. Furthermore, we were told that under the present system many of the borough and urban district councils resent having to strike and collect a rate the major part of which is in respect of regional services, particularly education, over which they have no control.

139. It has been put to us that these facts reinforce the case for transferring the regional services, and again particularly education, to central control—especially as some witnesses seem to consider that this would justify rates being relieved of their contribution to the cost of these services.

140. Against this, we must record that the Ministry of Finance has emphasised to us that in financing the public services the proportion of Exchequer money to rate revenue is already much higher in Northern Ireland than anywhere else in the United Kingdom ; that for many years the Northern Ireland Exchequer has been assisted by the United Kingdom Exchequer both by contributions and by the transfer of the burden of agricultural subsidies from the former to the latter ; and that consequently, in fairness to the taxpayers of the United Kingdom the existing Exchequer/rates ratio must not be exceeded. What this means is that, whatever changes may be made in responsibilities for functions, there can be no net shift in financial responsibility from the rates to the Exchequer. In other words, the final net result must be that the rates in Northern Ireland bear a burden reasonably comparable to that borne in Great Britain. If the Northern Ireland Exchequer bears a greater share of the cost than the United Kingdom Exchequer bears in Great Britain, then in effect part of the burden of the Northern Ireland ratepayer is being transferred to the United Kingdom taxpayer.

141. Against this background the course that we recommend, which seems to us to have the merits of efficiency, simplicity, fairness in operation and the preservation of the independence of the district councils, is as follows :

(*a*) as a contribution towards the cost of the regional services transferred to central government one uniform rate for the whole of Northern Ireland should be struck centrally ; this rate revenue would then be pooled with all other Northern Ireland revenues out of the total of which the cost of the regional services and other Government services would be financed. A solution on these lines was foreshadowed in paragraph 46 of Further Proposals and there seems to us to be a clear case for adopting this course to provide for the rate share of the cost of services whose standard is determined by central government and which should be at a uniform level throughout Northern Ireland ; under these arrangements the cost of the regional services would appear in the estimates and accounts of the Government departments concerned and be subject to annual Parliamentary approval ;

(*b*) in addition each district council should strike for its district such rate as it considers necessary for the district services for which it is responsible ; we regard it as essential for the independence of the district councils that the decision on this rate should be a matter for them, and for them alone ;

(*c*) the collection of both rates, the uniform provincial rate and the district rate, should be a combined operation carried out centrally ; for this purpose there might well be established a Central Revenue Office, which would also be responsible for the collection of all other Northern Ireland revenues, such as estate duty, stamp duties and motor taxes. The Central Revenue Office would then hand over to each district council the amount for which it had precepted. It would of course be possible to carry out the collection of rates the other way round, that is to say, to give responsibility for the collection of both rates to the district councils. We have recommended the first course not only because on balance we believe that it will work more efficiently, but because, as we have said, local councils have an understandable dislike of incurring unpopularity as the collectors of rates for the major part of which they are not responsible ;

(*d*) the transfer of regional services to Stormont will substantially reduce the imbalance of rate money to Exchequer money in district council finances as the table in paragraph 136 shows. If however all district councils are to provide an acceptable standard of district services, it will still be necessary in the new system to help the councils who have inadequate rateable resources either by an equalisation scheme between the councils themselves or by means of a general Exchequer grant. We think that the form and calculation of this assistance can best be left to the normal processes of negotiation.

Local authority borrowing

142. A particular problem will arise in connection with the Belfast municipal debt. The Corporation has for many years operated a Consolidated Loans Fund, the main security for which, as for all local authority borrowing, is the rates and local revenues. With the transfer of many of the main functions to Stormont and the radical change in the rate revenue under the Corporation's own control that will result, it seems to us in principle that the servicing of that part of the debt attributable to the services being transferred, must be taken over by the Government. Many complex details will have to be worked out not only in connection with the Belfast debt but also in connection with the smaller loans pools operated by other authorities. We recommend that these and other financial problems that will arise from our recommendations, for instance the effect on superannuation funds, should be remitted to a working party.

CHAPTER 9

STAFF

143. There are over 40,000 people employed in the local government service in Northern Ireland at present and several thousands more in other public bodies likely to be affected by our recommendations. If these are implemented a re-deployment of some of these employees (and also of some in the civil service) will be inevitable although the bulk of them, for instance, teachers, clerical and manual staffs should in practice be unaffected by the change in employer. The greatest change will be in the administrative, professional and technical grades, which in local government number around 6,000 ; care and understanding will be needed in the placement of these men and women, many of whom are by now—as we have said in our opening Chapter—understandably anxious about their future.

Local Government Staff Commission

144. We consider it imperative therefore that the Local Government Interim Staff Commission which is promised in the Communiqué of 10th October 1969, should be set up without delay. Its functions as described in the Communiqué will be to advise local authorities about the selection of candidates for senior and designated appointments and to keep appointment procedures under review. We consider however that in the interim period it should have a wider remit as some existing local authority officers will reasonably expect posts outside local government, for instance in Ministries or area boards where services with which they have been concerned may be transferred or delegated. We recommend therefore that the Interim Staff Commission should concern itself with the collection and dissemination of information about staff posts being created because of re-shaping both inside and outside local government and with candidates for those posts.

145. The Communiqué of 10th October envisages the Interim Staff Commission, following re-shaping, being replaced by a permanent statutory Local Government Staff Commission, again with strong advisory powers to assist local authorities in the selection of candidates for senior and designated appointments, and a continuing duty of reviewing appointment procedures. We welcome this proposal but we are convinced that if local authorities are to accept its services, neither this Commission nor the Interim Commission must be in a position to force individual employees upon them (nor indeed would the lot of such an employee be a happy one). When vacancies occur the Commissions should advise and supply lists of suitably qualified candidates from whom the choice is to be made, but the final choice must be left to the employing authority. We think that this is an important principle of sound management.

A single public service

146. It was urged upon us by representatives of several of the staff Associations, in particular the Ulster Public Officers' Association and the Northern Ireland Civil Service Alliance, that the interests of the staff of all three categories—local government, civil service and statutory authorities—would be best served, and the best and most economical use made of them, if they were all brought into a single public service, a possibility that had first been suggested by the Cameron Commission. The Communiqué of 10th October 1969, stated that the idea of a Public Service Commission, concerned with certain aspects of staffing throughout the public sector, including both local government service and the civil service, raised far-reaching questions but would be further studied with a view to a report being put before the Northern Ireland Government as soon as possible.

147. In a country the size of Northern Ireland there could be advantages in reducing the differences between the staff employed by the various kinds of public bodies. But we see difficulties in any arrangement whereby the staff of any particular body are not the employees of that body but of some other body. The staff of the Stormont Ministries are, subject to the control of the Ministry of Finance, employed by their respective Ministries, owing their promotion and career largely to the satisfaction they give their seniors in the department. Similarly the staff of the Housing Trust, of the hospital boards, and similar bodies are employees of those authorities, appointed by them and owing their loyalty to them. The same must be true of the staff of local authorities. A commission, whether covering all public employees or confined to local government, could not therefore be an employing authority.

148. Nevertheless, short of being the employing authority there are a number of important functions which a central body, whether concerned with local government alone or having a wider interest, should perform on behalf of local government as a whole. We think those functions are of two types :

(*a*) those requiring independent treatment, such as the setting of standards in employment and other procedures ; the conduct of examinations and the certification of candidates ;

(*b*) the wider matters of training, career management, assessment of staffing requirements, job evaluation, liaison with associated staff bodies, publicity about careers in local government and so on.

We recommend that ways and means of discharging these functions centrally should be examined in consultation with the local authorities and the staff associations directly concerned.

Training

149. There are a number of other general aspects of staffing which we think are important but which we have not had time to examine in detail. There is, for example, the interchange of staff for a year or so between Stormont, the district councils and area boards, which should increase the mutual understanding between these major providers of the public services. The Ministry of Finance, the department responsible for the management of the civil service, informs us that there are unlikely to be any insurmountable difficulties from its side. We recommend that the possibilities should be examined in consultation with representatives of the bodies concerned.

150. We recommend also that the possibility of setting up a single Public Service Training Centre to undertake staff training for both the civil service and the local government service should be examined. It seems to us that the needs of the two services for staff training are not only closely related but complementary ; and a single Staff Centre could not only prove to be an economical arrangement but it could also help to improve understanding and therefore collaboration between these branches of the public service.

Certin professional staffs

151. Another aspect, which will arise directly from our recommendations, concerns the deployment of certain professional staffs whose services would be required both by the district councils and area boards none of which will cover the full range of the work of the profession. We have particularly in mind the public health inspectorate. For the branches of environmental health concerned with food composition, standards and labelling the inspectorate would work to the area health boards ; for questions concerning the state of fitness of housing accommodation the inspectorate would advise the central housing authority ; for other environmental health matters they would serve the district councils. The same kind of problem will arise in connection with the medical officer of health, the municipal engineer and the planning officer. It seems to us unwise to fragment and disperse scarce professional skills of this kind over a number of employing bodies and we recommend that the proposal in paragraphs 45 to 48 of the Green Paper on the Future Structure of the National Health Service (1970 England) should be carefully considered: that is, that the professional specialists concerned should be kept together in the employment of the major user and their services made available to the other public bodies who need them.

General management

152. We have not attempted in this report to consider the general management, organisation and staffing of the district councils or of other public bodies that may be set up following our recommendations. Indeed as we have said earlier in the report (paragraph 7) we do not think that our Terms of Reference require us to do so. In our view these are matters for separate study in the light of decisions taken on our recommendations and in conjunction with an examination of the detailed organisation of the regional services. The ultimate objective must be to make the most efficient use of all the resources of staff and manpower that now exist in the borough, urban and rural district councils, the county and county borough councils, the New Town Commissions, the Ministries and the other public bodies concerned.

CHAPTER 10

DISTRIBUTION OF MINISTERIAL FUNCTIONS

153. The assignment of direct, executive responsibility to Ministries will have one indirect result. It will add to the work-load of Ministries in an uneven fashion. The assumption of executive responsibility by the Ministry of Commerce, for instance, for tourism should mean only a moderate increase in work, while the assignment of executive responsibility for education and libraries to the Ministry of Education should result in a sizeable increase in work-load. Still greater will be the increase in work in the Ministry of Development with its additional responsibilities for housing, planning, roads, water and sewerage and in the Ministry of Health and Social Services, which will not only have to answer for the health and personal social services but also for child care and related matters.

154. We therefore see a need, in addition to the whole subject of the re-shaping of local government and the discharge of regional and district functions with which this report is mainly concerned, to re-consider the question of the distribution of functions between departments of Government so as to achieve the most efficient and acceptable balance of work *within* Government itself. We understand that it is about six years since there was a major review of departmental responsibilities and we therefore consider it reasonable to suggest that another may now be due. Item 5 of our Terms of Reference seems to us to require us to draw attention to this aspect of administration but not to institute such a review ourselves.

155. The matters which have impressed us as needing to be considered in that context include the following:

(*a*) the allocation of responsibility for child care to the Ministry of Home Affairs seems to have outlived its earlier usefulness. Child care is clearly part of the personal social services and there would be obvious advantages in transferring it to the Ministry of Health and Social Services, just as mental health was transferred a generation ago from being a matter for Home Affairs to becoming part of the health service ;

(*b*) Road safety and traffic management are now an integral part of road design, construction and maintenance, and should therefore be transferred from the Ministry of Home Affairs to the Ministry of Development. Road safety is too crucial a matter to be left to lie between two administrations, while in the age of the ubiquitous motor car, the case for traffic management becoming part of the road and transportation administration is difficult to resist ;

(*c*) the Ministry of Home Affairs is responsible for many services that at first sight seem mainly of a " law and order " character, but which in fact have an increasingly social content. We may instance the licensing laws, the betting laws, the marriage laws, the laws on drugs,

and the probation service; there is a case for associating these matters with the main body of social administration through the establishment of a Home and Health Department;

(*d*) since harbours are clearly an important element in transportation, for which the Ministry of Development already has general responsibility, we think that this function should be transferred from the Ministry of Commerce to the Ministry of Development; but for those harbours which are suitable for sailing, angling and similar sports, or tourism, there should be close collaboration with the Ministry of Commerce, which is responsible for tourism;

(*e*) all revenue functions of all departments that can be divorced from other administration and in which the collection of revenue is the major part of the function (for example, rating other than district council rates, and motor taxation), should be transferred to a Central Revenue Office, coming under the Ministry of Finance, together with valuation, estate duties and stamp duties;

(*f*) Museums and art galleries of a "national" character are at present the responsibility of the Ministry of Finance while the general responsibility for supervision of museums and art galleries in local government rests with the Ministry of Education; we think that the whole subject should rest with one Ministry, namely Education;

(*g*) some minor adjustments of responsibilities under the Public Health Acts are, we believe, being currently discussed between the Ministries of Development and Health and Social Services; they concern such matters as refuse disposal, car bodies, litter, caravans and burial grounds. Similar discussions between the Ministry of Health and Social Services and the Ministry of Agriculture about health control and certification in food premises supervised by the latter department are also in train. All these should be pursued and concluded in the context of this overall review.

156. We also understand—though we have not ourselves thought it right to go into the matter—that the Consultants on the Development Programme 1970–75 are anxious to see still greater emphasis being placed by Government on manpower and industrial training, so that some revision of departmental organisation may have to take place in that field also.

157. We noted the readiness expressed by the new Civil Service Management Department to examine our report (when presented) in management terms; and we therefore have confidence in recommending that they now be authorised to initiate this *internal* review of departmental responsibilities.

CHAPTER 11

SOME PRACTICAL ASPECTS

158. In this Chapter we attempt to forecast some practical aspects of the system which we are recommending and how it will appear through the eyes of the ordinary citizen.

Local opinion

159. One aspect specifically put to us in our Terms of Reference is the important question of how local opinion can best be brought to bear on administration. This is a problem that is not peculiar to Northern Ireland but is found in the rest of the United Kingdom and in other countries too. The most obvious symptom of the public's lack of interest is the low average poll at local elections. In England, as the Maud Commission points out, normally less than half of those entitled to vote at local elections bother to do so, compared with a poll of some 75–80 per cent of registered electors at general elections. Similarly, the Wheatley Commission has found that in 1967—the last year when elections took place in every different kind of local authority in Scotland—as many as 63 per cent of the seats were uncontested, and where there were contests, only 47 per cent of the electorate took the trouble to cast their votes. In Northern Ireland there is a similar contrast between Parliamentary and council elections, especially in the matter of contested and uncontested seats. It is a harsh fact that since the exercise of re-shaping local government began, over four years ago, the general public has shown an almost total lack of interest. It is not too much to say that the average citizen's attitude appears to be one of apathy, tinged with cynicism. It is a dangerous attitude, for there is truth in the old saying that people get the government they deserve. Accordingly, any practical steps that might improve this state of affairs deserve every encouragement.

160. Under the system that we are recommending local opinion will in the first instance be brought to bear through:

(*a*) the Members of the House of Commons acting not only in the normal way on behalf of constituents but also in holding a watching brief over the Ministries' general performance of the regional services;

(*b*) the Members of the Senate, all of whom also have local affiliations;

(*c*) the district councillors, of whom, given 26 councils with an average of around 20 members each, there will be over 500 in all. These councillors will not only be responsible for the administration of their own local affairs but, through service on such area boards as may be set up and their right to be consulted by other administrative bodies, will be able to bring local opinion to bear upon the administration of the regional services.

161. We endorse the proposal in paragraph 76 of the Statement of Aims that the function should be given to local authorities of keeping the citizens informed of "the plans and proposals of the council, of the reasons for decisions and of the recurring question of where the money comes from and where it goes to". We were impressed by an excellent gazette that is produced by one borough council. We understand that it is widely circulated and read, and it must plainly do much to inspire interest and a sense of civic pride.

162. The Local Authority Associations representing as they do a vast repository of knowledge and experience, can do much to bring local opinion to bear upon administration. Their weight would be even more effective if there were fewer of them, and we found general agreement among their representatives that there is at present too great a proliferation. The course that we are recommending can pave the way to an amalgamation that would produce a single powerful association of great value.

The councillor

163. Turning to the reflection of local opinion inside local government itself, there are two people who matter a great deal. One is the councillor. In the words of the Wheatley Report,* "the elected councillor is the key person in local government. His job, both as a policy-maker and as a local representative, must be so arranged that he can be effectively in charge of affairs and also effectively in touch with his constituents". We believe that our recommendations for district councils will secure this result.

The citizen

164. Perhaps more important even than the councillor is the citizen, the ordinary man (or woman—or child) for whose benefit the whole structure of local government ultimately exists. He has perhaps no inclination himself to play an active part in civic life. But he has—or should have—a keen interest in the services that local government provides; he likes to know what is going on, and to have his say when he feels like it; he dislikes the thought that matters which affect his daily life and well-being are being decided by a remote and faceless "them". So how will our system look to the ordinary householder—whether in Belfast, Londonderry, Dungannon or the Glens of Antrim? Will he feel that he can make his wishes and aspirations readily known and have his complaints sympathetically listened to?

165. First of all at the elective level, he will have three opportunities of casting his vote; a vote to elect a councillor to his district or borough council; a vote to elect a Member of Parliament to Stormont; and a vote to elect a Member of Parliament to Westminster. He will vote in each case on the franchise of "one man, one vote"; and in local government on the basis of new single-seat wards which will be drawn by an Independent Wards Commission.

166. Secondly within the public services of Northern Ireland he will recognise to all intents and purposes much the same centres of activity as he has known and been accustomed to. There will be the district council

* Short version, page 15.

to which he will look for his local services and local amenities, matters such as refuse collection, clean streets, swimming pools and parks. There will be, in all probability the area board for health or education which to him should most easily and naturally take the place of his former county borough or county council for the area offices will be in familiar buildings in towns that he knows well. And there will be Stormont.

167. Let us put it another way. In the ordinary course of his daily life the householder, in town for his shopping or other business, can go to the district council offices (or sub-offices) to inquire about a district matter. He will probably find in the town an office of some of the regional services. If occasionally he has a bigger query to raise, or business to settle about regional matters, he will call at a main area office. And then, if he and his neighbours or associates form a deputation to press some important policy matter, he will visit the Ministry or some other regional office in Belfast. It all adds up to a pattern which will be quite familiar to him.

168. If either he or his wife has a mind for voluntary service there will be ample scope within the framework of the system we recommend. He may be holding office in the local community group (and this could exist in a ward of a city just as readily as in a village). Either or both of them may be serving as voluntary drivers to take patients to a day centre or as friends of the hospital or on the visiting committee of the old people's or children's home. Although we are recommending a great reduction in the number of decision-making bodies, we keep the door wide open to voluntary effort in all the many forms in which it flourishes in our cities, towns and countryside, especially in the sense of helping to bring the various social services to the actual point of human need.

169. Then, whom can he button-hole, get at or complain to, if things go wrong? First, there will be his councillor, representing his own neighbourhood or ward, for there will be around fifteen or twenty councillors on his district council to represent just about thirty thousand people (perhaps fifty councillors in Belfast). There will be his Stormont Member of Parliament and his Stormont Senator. And finally there will be his Westminster Member of Parliament. Then again, he will find that some of the appointed members of the area boards for, let us say, health or education are drawn from his part of the world. His council Chairman, Mayor or Lord Mayor will be a well-known local figure. As well as that, the staff directly concerned with the management of the services—the schoolmasters, nurses, midwives, welfare workers, housing managers, district surveyors and many more—will not only be working in the locality but living in it, available to be asked about their work and in their turn contributing to the life of his local community.

CHAPTER 12

CONCLUSION

170. We have now concluded our review and answered, to the best of our ability, the points that you put to us in our Terms of Reference. The next steps are for others. In these difficult times public administration demands the co-operation and help of all men and women of goodwill, from the ranks of elected representatives, of business and professional men, of trade unionists, the churches and the voluntary societies. There is no room here for petty jealousies, departmental feuds, or administrative warfare, and no time for barren controversy. We have therefore refused throughout to adopt doctrinaire attitudes on the merits or demerits of elected local councils, appointed boards, centralisation and other vexed issues, nor have we let ourselves be drawn into political argument or debate on the past record of local government in Northern Ireland. On the contrary, we have tried to look to the future and to recommend the system which in our view will best meet the requirements of economy, efficiency and local involvement. It is a greatly simplified system, yet it is flexible ; and it aims, as we believe that any worth-while re-organisation must aim, at a great reduction in the number of decision-making bodies and of the levels of executive power. It may be true that as the Wheatley Commission has said, a solution to be effective is bound to hurt some people but given goodwill we believe that the system we recommend can succeed ; without goodwill, neither this nor any other system stands a chance.

171. At the start of this report we expressed our appreciation of the services of our Consultant and our three Assessors. We must now put on record our debt to the Secretariat with which we were provided. This is no mere polite formality. Dr. John Oliver, our Secretary, Mr. Hugh Gaw, our Assistant Secretary, and Mr. Dick Mackenzie, all of the Ministry of Development, have served us throughout with unflagging energy, skill and cheerfulness. We are deeply grateful.

PATRICK MACRORY (*Chairman*)
JAMES C. BAIRD
WILLIAM J. BLEASE
MICHAEL G. BREADY
T. D. LORIMER
E. M. R. O'DRISCOLL

JOHN A. OLIVER (*Secretary*)

29th May 1970.

THE SYSTEM IN BRIEF

I. Two levels of executive responsibility:
   A. the elected regional Government responsible to Parliament and working through Ministries;
   B. up to 26 elected district councils working as local authorities responsible to their electorates.

II. Ministries responsible for regional (or wide-area) services;
   District councils responsible for district (or local) services

III. Ministries to decentralise to provincial towns the day-to-day management of regional services under flexible arrangements appropriate to the particular service e.g.
   Health, welfare, child care, education and public libraries to agent boards in four areas;
   Other services to local offices or delegated to district councils.

IV. District councils responsible for district functions in five categories:
   (i) executive functions directly conferred on them by law.
   (ii) agency functions delegated by Ministries.
   (iii) representative role on area boards and other agencies.
   (iv) consultative role as consumer councils.
   (v) ceremonial.

V. Rate to be struck in two parts: regional and district.

VI. Community groups for small localities where desired.

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

1. The functions under review are divided into two broad categories: *regional*, i.e. wide-area functions which require large units for administration and *district*, i.e. small-area or local services which can be efficiently administered in small units (paragraph 70).

2. The regional functions are: education, public libraries; personal health, welfare and child care; planning; roads and traffic management; motor taxation; housing; water and major sewerage systems; food composition, standards and labelling; tourism; electoral arrangements; criminal injuries compensation; gas; electricity; transport; major harbours; fire (paragraph 74).

3. Independent boards, i.e. central, appointed and specialised bodies with independent standing are rejected for functions which have a substantial social or political content (paragraphs 76–77).

4. Such boards are only suitable for services with a mainly technical content (paragraph 77).

5. The representative principle is preferred (paragraph 78).

6. The two-tier concept of local councils is also rejected (paragraphs 79–81).

7. The concept of Parliament and Government as one level and a number of elected district councils as the second level constitutes the main recommendation in the report (paragraph 81).

8. Stormont, i.e. the regional Parliament, Government and the Ministries should administer the regional services (paragraph 81).

9. The district councils should administer the district services (paragraph 81).

10. Apart from trading undertakings and the fire service, the regional services should be directly assigned to individual Ministries (paragraphs 82–83).

11. The Ministries must concern themselves directly with policy, law, finance and standards as well as with programmes and priorities (paragraph 85).

12. Management (in the sense of employment of many of the operative staff, the handling of transactions in land, buildings and machinery, day-to-day supervision, short-term decisions on the ground) should in many cases be decentralised to local offices in provincial towns (paragraph 87).

13. In the case of education, the personal health, personal social services and child care, delegation to a system of area boards acting as agents of the Ministry seems advisable (paragraph 87(*c*) and (*d*)).

14. To the extent that area boards may be thought advisable for the day-to-day management of regional services, then all such areas ought to be co-terminous, ought not to cut across district boundaries; and four such areas ought to be enough for the whole province. The boards ought to be appointed by Ministers and ought clearly to be their agents; their membership ought to reflect the community they serve; the membership ought to include some district councillors (paragraph 87(*c*)).

15. Arrangements ought to be built in from the outset for the closest collaboration between boards and offices of the Ministries operating in any one area (paragraph 87(*d*)).

16. Delegation should be to district councils as agents, where the responsible Ministry is satisfied as to the council's willingness, competence, staffing and general suitability (paragraph 87(*e*) and (*f*)).

17. Delegation to agents should be flexible and should be of such a kind that it can be varied from time to time and from place to place (paragraph 89).

18. Experiments should be tried to relieve Ministers of direct responsibility for some of the decisions taken in their name (paragraph 90).

19. An increase in the work of the House of Commons is foreseen and this could lead to consideration being given to an increase in the size of the House (paragraph 91).

20. A development of the select committee system is also foreseen (paragraph 92).

21. It should be possible for some other Mayors or Chairmen of local authorities to have seats in the Senate as well as the Lord Mayor of Belfast and the Mayor of Londonderry (paragraph 94).

22. Consideration should be given to the setting up of one gas service for the whole province (paragraph 99).

23. Proposals for a unified regional electricity service are known to be under consideration (paragraph 100).

24. The finances of road passenger transport in Belfast are likely to suffer a set-back for the first time in the history of this undertaking and as a result changes in responsibility may be proposed (paragraph 101).

25. The Belfast Fire Brigade could form a valuable adjunct to one unified fire service for the province (paragraph 104).

26. Gas, electricity, road passenger transport, major harbours and fire, all require regional treatment in the sense that they are essential public utilities of a regional character, not in the sense that the Belfast Corporation—or in future the District Council of Belfast—or any other present operator is not competent to run its own services (paragraphs 109–111).

27. Not more than 26 district councils should be created—each based on a main town or centre (paragraphs 115–116).

28. No place will remain for county councils in the new structure (paragraph 117).

29. The County Boroughs of Belfast and Londonderry will become district councils but retain their ancient civic dignities (paragraph 118).

30. The executive functions for which all district councils will be directly responsible are listed (paragraph 120).

31. In addition district councils should for the benefit of their areas and inhabitants have freedom to spend the product of a 6d. rate on any purpose not otherwise authorised by statute (paragraph 121).

32. Representatives of district councils should be nominated to serve on area boards, probably to the extent of 30 per cent to 40 per cent but never exceeding 50 per cent (paragraph 123).

33. District councils should be consulted by Government about local opinion on matters of general public policy (paragraph 124).

34. District councils will also have many ceremonial functions; and it should be open to all to apply for the status of borough (paragraph 125).

35. The formation of community groups for small localities should be encouraged (paragraph 129).

36. As soon as decisions have been taken on this report, the whole legislation and machinery of valuation, rating, derating and exemptions should be brought up to date, and a comprehensive revaluation undertaken (paragraph 131).

37. Although no recommendation is made on the concept of a community contribution by those voters who do not pay rates, any opportunity that arises of broadening the basis of local taxation should be taken (paragraph 134).

38. The rate struck each year should be in two parts: a regional portion, applying uniformly over the whole region and a district portion struck independently, and without approval or supervision, by each district council (paragraph 141 (*a*)–(*b*)).

39. Both should be collected in one operation, preferably on a central basis but district collection is not ruled out (paragraph 141 (*c*)).

40. A working party should specialise on the problems arising in connection with the Belfast Corporation debt and other loans pools and superannuation funds (paragraph 142).

41. The proposals for a Local Government Interim Staff Commission and for a permanent successor are both endorsed (paragraph 144).

42. The concept of a public service is considered and some functions are set out, distinguishing between those that require independent treatment and those of a general and representative character (paragraphs 146–148).

43. The possibility of setting up one Public Service Training Centre should be examined (paragraph 150).

44. Certain professional staff who will be serving more than one employer should be kept together as one professional corps, employed by the major user and made available to other public bodies (paragraph 151).

45. A review of the distribution of Ministerial functions between the various Ministries should be undertaken by the new Civil Service Management Department on the following suggested lines:

Child care to the Ministry of Health and Social Services.

Road safety and traffic management to the Ministry of Development.

Harbours to the Ministry of Development.

Rating (and other revenue functions) to a new revenue office in the Ministry of Finance.

National museums and art galleries to the Ministry of Education.

Public Health Act miscellaneous functions re-allocated between the Ministries of Development, Health and Social Services and Agriculture (paragraph 155).

46. District councils should have the function of keeping their citizens informed (paragraph 161).

47. A reduction in the number of associations of local authorities would increase their value and effectiveness (paragraph 162).

REVIEW BODY ON LOCAL GOVERNMENT

First Meeting

2.30 p.m. Friday, 9th January 1970

Opening Remarks by the Minister of Development

(Mr. Brian Faulkner)

As members of the Review Body you face a vitally important task. The decisions which the Government will ultimately take on the basis of your advice will change the administrative and organisational face of Ulster.

I want to-day to put the Government's priorities before you, to give perspective to the work ahead of you. Briefly, they are: Houses, Jobs, Political Stability.

We have decided to make a major drive on Housing in all its forms—new building, private enterprise, slum clearance, redevelopment, conversion and improvement. We have decided to centralise the housing administration by relieving local Councils entirely of all responsibility. The reasons for this all-out effort are obvious: not only does housing represent a great social need, it is also a fundamental part of the background to industrial development, tourism and economic growth generally.

Jobs are the second factor in our equation. We must make a still bigger drive to attract industrial investment. This is in hand and will be given new impetus shortly by the publication of our Development Programme for 1970–75 as recommended by Professors Matthew, Wilson and Parkinson—a massive, forward-looking programme indeed.

Political stability is the third and of course most elusive factor in the equation. Here we have done a lot already by legislation along the lines of new statutory arrangements: the Ombudsman; the Commissioner for Grievances in local bodies; one man one vote; votes at 18; an impartial Commission for determining local Council Wards; re-organisation of the Royal Ulster Constabulary and of the Ulster Special Constabulary. But perhaps even more important than these is the provision on a totally impartial basis of the greatest number of houses and the greatest number of jobs in the shortest possible time. I am convinced success in those directions will do most to reduce tension in the community and to bring about lasting stability.

Perhaps I could now deal with the topics of housing and jobs more on the plane on which the Review Body will be working, namely in terms of administration.

First of all, let me emphasise that the decision to centralise housing has already been taken and is a firm commitment on both the Westminster and Stormont Governments. At the moment I am weighing up the advantages and disadvantages of the various possibilities regarding the exact form which the new organisation should have. It is an urgent problem but I

want to be sure that we get the formula right—this development, if it achieves the success which I hope for it, will be one of the greatest social advances in Northern Ireland's history.

It will be breaking new ground in the United Kingdom. It will have a profound effect on local government, on the work of Councillors and of Staff, many of whom regard it as their major interest and who have given dedicated service to the provision of housing for their people. And, of course, the decision has many implications for other functions, such as planning, water and sewerage; to a lesser extent for roads and streets; in a different way for health, welfare, child care and even possibly education. All these consequentials of the housing decision you will be examining in detail in the weeks ahead.

Let's look at jobs, too, in terms of administration. What can the Government offer a potential industrial investor?—As well as financial aid, prompt service, trade union co-operation and good labour relations, training schemes second to none anywhere, entire freedom from religious or political discrimination, we must be able to point to a whole set of services —houses, water, sewerage, land, roads, technical schools, libraries, playing fields and so on. To achieve success in the industrial development field the Government's efforts must therefore be characterised by three things: by a single-minded drive, by efficiency and by complete impartiality. I believe that in making a fresh start on the whole of local administration we could usefully apply many of the principles and methods of industrial promotion to our local services.

Obviously beyond the criteria I have mentioned is the additional requirement to ensure proper public control at the centre and reasonable local involvement at grass roots level. Our Regional Parliament can clearly cover the first point. As to people having their say in their own locality, I am asking you to explore and evaluate the various possibilities—traditional local government, Consumer Councils, Parish Councils, or perhaps some new method of local consultation.

In between Parliamentary control on the one hand and popular local involvement on the other, there lies the main block of your work; how are our services to be administered to serve the ends which I tried to sketch for you at the outset of these remarks. Is it to be by local government on the English pattern? How many local councils do we need in that case?—one, three, five, twelve, eighteen, thirty, fifty? Or would we get better results by adopting a functional system of administration—a Housing system; a Water and Sewerage system; a Roads administration and so on—each with its own clear, single-minded task. Or should we strive for integration of physical development even at the price of losing some of the impetus of a specialised body? Should we make more use of our existing three New Town Development Commissions which cover the three main growth centres of Craigavon, Antrim & Ballymena and Londonderry? All this will form the main substance of your work.

For your guidance, I should say that on two aspects of all this, namely, Parliamentary control of public services and adequate local consultation in the field, I am already committed in advance.

In wishing you well in your deliberations, I would like to give you one or two guide-lines:—Remember that this is Ulster, for better as well as for worse. It is not England, though we are an integral part of the Kingdom; it is not the Irish Republic, though we are geographically and climatically a part of Ireland. Our population is only 1½ million. Even more relevant, our Rateable Valuation is a mere £13 million and a rate of a penny in the pound produces only £50,000 or so.

Therefore we can afford no luxuries. We must husband our resources to the fullest limit.

I would ask you to carry through the job as quickly as you can. The sooner we have decisions the better.

Do not assume that you must go into "purdah" for a long spell and show your face to no man! On the contrary, my advice is meet plenty of people, informally as well as formally. Go and see the local Councils on their own ground. Draw on the very great experience of the various Ministries. Come and see me, if you wish, or other Ministers. Have a word with Back Bench Members of Parliament if you think that would be helpful; and when saying that, I have in mind all the Back Benches, not just on the Government side.

And do not be afraid to come up with answers which have not been hallowed by precedent elsewhere. Provided they are soundly based and allow for full public accountability, some entirely new pattern of local administration might well be good for Ulster internally and externally. It could give a new impetus to public life and serve to vindicate our Regional Parliament and our contribution to Britain as a whole.

Statement issued on behalf of the Review Body on Local Government

The Review Body wish to announce that so far over 40 letters or memoranda have been received and about another 40 are expected. The majority are from representative bodies.

Some organisations submitting representations have already released their memoranda to the Press. The Review Body welcome this course and wish to emphasise that it is open to any person or body submitting a letter or other document to release it as and when they wish. In the same way those who are invited to come and meet the Review Body are entirely free to repeat publicly what they have said to the Members or what the Members have said to them.

The Review Body therefore wish to dispel any suggestion of secrecy or "muzzling" which may have been created concerning relationship with the Review Body. For example, there is no suggestion that persons meeting the Review Body are being bound in any way by any oath of secrecy.

Entirely as a matter of internal arrangement the Members of the Review Body suggested that they and their Advisers ought themselves voluntarily to make a declaration recognising that the Official Secrets Act might in certain circumstances apply to some aspects of their work. This was done in order that they might all share a common bond of trust in handling any confidential information that might come to them and also to underline the obvious undesirability of provisional views or conclusions being released prematurely before the whole field had been reviewed. But that declaration has not been, and will not be, put before any person outside the Review Body, as the latter have no intention of imposing any limitation on freedom of action or speech.

The Members wish to stress that they do not regard themselves as a quasi-judicial tribunal nor as a Committee of Inquiry. There is, in their view, no question of their "summoning or examining witnesses" nor of imposing any rigid procedure. Acting under their Terms of Reference they look on themselves as a Review Body, reviewing previous proposals for re-structuring local government, as well as considering all new proposals and generally reviewing the whole situation in the light both of the great amount of work already done in local government over the last four years and of all further views and ideas now being put forward.

The Members are also carrying out a series of informal visits to Town Halls and other Council offices and in the past few weeks have met representatives of over twenty Councils and Joint Boards as the result of extremely helpful visits to Bangor, Downpatrick, Lisburn, Newry, Warrenpoint, Armagh, Dungannon, Omagh and Strabane. They hope to visit more Councils. These visits are serving admirably the purpose for which they were intended, by enabling the Members to meet as many Councillors as possible, of every political party, as well as senior officers, and in that way to inform themselves of up-to-date opinions and current attitudes in different localities. At some of these meetings the Press are present and interviews are freely given; at others a shorthand note is taken on behalf of the Council and at some places reports or papers are handed over to the Review Body. All these arrangements are at the discretion of the local Council being visited.

The Review Body believe that the procedure they are following—which is their own procedure and is not imposed on them by anyone—is well suited to the particular task which they are appointed to carry out. If at any time it seems to them that their work would be helped by a change in that procedure, they will unhesitatingly make that change.

Monday 23rd February 1970.

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